

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1395397-0

Total Deleted Page(s) = 23

Page 55 ~ b3; b6; b7C;
Page 67 ~ b6; b7C; OTHER;
Page 68 ~ b6; b7C; OTHER;
Page 69 ~ b6; b7C; OTHER;
Page 72 ~ b6; b7C;
Page 73 ~ b6; b7C; OTHER;
Page 74 ~ b6; b7C; OTHER;
Page 75 ~ b6; b7C; OTHER;
Page 76 ~ b6; b7C; OTHER;
Page 77 ~ b6; b7C; OTHER;
Page 78 ~ b6; b7C; OTHER;
Page 79 ~ b6; b7C; OTHER;
Page 80 ~ b6; b7C; OTHER;
Page 81 ~ b6; b7C; OTHER;
Page 95 ~ Duplicate;
Page 96 ~ Duplicate;
Page 117 ~ b3;
Page 118 ~ b3;
Page 119 ~ b3;
Page 120 ~ b3;
Page 122 ~ b3; b6; b7C;
Page 130 ~ b6; b7C;
Page 131 ~ b6; b7C;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Assistant Attorney General
Criminal Division

April 18, 1975

Director, FBI

EX-110

REC-9

62-112989

1 - Mr. Wannall

1 - [redacted]

2 - Mr. Mintz

1 - [redacted]

b6
b7C

DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

By memorandum dated July 24, 1974, I advised that our Los Angeles Office had 19,600 pages of logs and transcripts but no tapes concerning this matter. This Office has now advised that these figures should be revised to indicate that they have approximately 60,000 pages of logs and transcripts and 3,655 tapes concerning this matter.

1 - Los Angeles (176-79B)

62-112989

NOTE: Based on Los Angeles airtel to the Bureau dated 4/9/75, captioned as above.

GML:lsh
(9)

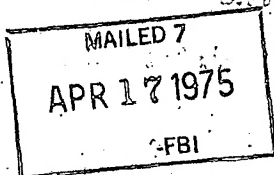
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY sp5/ig/rd

2-9-93 1048 JCM/8
WRW/TWL
3/5820

RECEIVED SUBSCL

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____



SBA
pun

1-16
MAY 2 1975
MAIL ROOM ☒

TELETYPE UNIT ☐

F B I

Date: 4/9/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-112989) *counsel*
 FROM: SAC, LOS ANGELES (176-79B) ATTN: LEGAL COUNCIL SECTION
 SUBJECT: DAVID T. DELLINGER, ET AL
 vs. JOHN M. MITCHELL, ET AL
 (USDC, DC)
 CIVIL ACTION 1768-69

Re Los Angeles nitel dated 4/7/75 and Los Angeles letter and letterhead memorandum dated 6/13/74, captioned "DAVID T. DELLINGER, Et Al, vs Attorney General JOHN M. MITCHELL, Et Al, Alleged Violation of Constitutional Rights (Attention: Intelligence Division, Section CI-3)."

On 4/8/75, [redacted] American Civil Liberties Union Attorney, came to the Los Angeles Office where he remained for a period of approximately one hour. During this period [redacted] made a cursory review of technical logs pertaining to installations at various Black Panther Party (BPP) Headquarters located in the Los Angeles, California, area. The purpose of [redacted] visit ostensibly was to make a determination as to the extent of time involved in reviewing logs, memoranda and tapes concerning the BPP which were maintained by the Los Angeles Office. [redacted] primary concern appeared to be centered around the period of early or mid-1969.

- ② - Bureau
 2 - Los Angeles
 (1 - 94-430B-1231JJ)

TC/jla
 (4)

cc: Mr Mintz

Memo to AAG, Criminal Div
 4/18/75
 RFO: [redacted]

REC-9

EX-110

APR 14 1975

LEGAL COUNSEL

b6
b7Cb6
b7C

Approved: _____
 Special Agent in Charge

Sent _____ M Per _____

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 11/4/82 BY [redacted]
 2/24/93
 10/24/93
 3/5/82

During the course of conversation with [redacted] it was indicated to him that tapes pertaining to respective technical logs had been destroyed. (During June 1974, a survey was made by personnel of the Los Angeles Office to locate these tapes with negative results and it was assumed at that time that they had been destroyed.) Stimulated by a remark made by [redacted] to the effect that he had replayed tapes made available to him by the San Francisco Office, that office was telephonically contacted and [redacted] statement was confirmed. Subsequently, a painstaking search of the Los Angeles Office resulted in these tapes being located in a specially designated area apart from other evidence.

At about 4:30 pm, 4/8/75, SAC JAMES L. STARTZELL endeavored to contact [redacted] in order to rectify the statement made to him to the effect that the tapes had been destroyed. SAC STARTZELL's efforts resulted in a contact with an answering service which indicated [redacted] would not be available until about noon on 4/9/75. SAC STARTZELL directed that [redacted] be informed that SAC STARTZELL desired to talk to him. At 2:25 pm, 4/9/75, he returned this call and was advised by SAC STARTZELL that there was some tapes available and they would be included in the material he might review on his next trip to the office and in the mean time a complete inventory would be done to determine if they were all retained.

b6
b7C

It should be noted in above-referenced airtel and letterhead memorandum dated 6/13/74, in answer to Interrogatory Number Six, Item A, it was stated that the tapes were not available. This statement should be corrected to note that the tapes are, in fact, available. Also, in the same Interrogatory, it was pointed out that an estimate of approximately 9,650 pages of logs and close to another 10,000 pages of transcripts and/or other records and memoranda relating to the surveillance would be available for review. These figures should be revised to indicate that approximately 15,000 pages of logs are available and approximately 45,000 pages of related transcripts and/or other records and memoranda are available for review.

[redacted] indicated that he would^{be} returning to the Los Angeles Office, probably with other help, on the morning of 4/15/75.

*On 4/15/75
[redacted]
LA advised
office has
3,655
tapes re
electronic coverage
of BPP
BMT*

Date of Mail 4/29/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JH/77
2-9-93 1048 DCM/SPC
3158 20

Subject JUNE MAIL DAVID DELLINGER

Removed By 79 MAY 30 1975

File Number 62-112989-317

Permanent Serial Charge Out

UNITED STATES GOVERNMENT

Memorandum

CONFIDENTIAL

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. J. B. Adams

FROM : Legal Counsel

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)
CIVIL ACTION NO. 1768-69

DATE 5-8-75
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 JAG/bjs
29-93
1018DKM/SCJ
3158 20

In this civil action certain of the plaintiffs were incidentally overheard as the result of national security electronic surveillances and they seek money damages. The Department has provided plaintiffs with copies of authorizations and reauthorizations signed by the Attorney General, certain Departmental policy memoranda relating to national security electronic surveillances, [and certain internal Bureau memoranda relating to electronic surveillances of the W.E.B. DuBois Clubs of America, the Black Panther Party, the White Panther Party, Students for a Democratic Society, [redacted] Bayard Rustin, [redacted] and Nathan Schwerner.

On 4-15-75 a subpoena in this action, directed to Assistant Director John A. Mintz, was delivered to the Washington Field Office. It commanded Mr. Mintz to appear and give testimony concerning this action at 2:00 p. m., 5-8-75, in the office of [redacted] National Press Building, Washington, D. C. The subpoena, however, failed to reflect the scope or subject matter of the testimony desired.

On 4-24-75, Edward S. Christenbury, Criminal Division, advised that in addition to Mr. Mintz, counsel for plaintiffs during April and May, 1975, will depose [redacted] a retired Special Agent of the Bureau; Robert C. Mardian and Daniel J. McAuliffe, former Departmental officials; and Kevin J. Maroney and John L. Martin, present officials of the Department. Counsel for plaintiffs

- 1 - Mr. Adams
- 1 - Mr. Wannall
- 2 - Mr. Mintz
- 1 - [redacted]

REC 17

EX-101

47 MAY 14 1975

GML:mbk

77 (7) mlb
MAY 22 1975

(CONTINUED - OVER)

CONFIDENTIAL

LEGAL COUNSEL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

CLASS. & EXT. BY
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW
4/4/93

~~CONFIDENTIAL~~

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
(D.D.C.), Civil Action No. 1768-69

has also communicated to Mr. Christenbury concerning the scope of testimony desired from the above individuals. Generally, plaintiffs are seeking any information concerning warrantless electronic surveillance during the period January, 1967, through December, 1972. The Department feels the depositions will give the Government an opportunity to put the national security surveillances in question in the best light.

On 5-8-75 Mr. Christenbury furnished this Division a copy of a telegraphic message from John C. Keeney, Acting Assistant Attorney General, Criminal Division, directed to Assistant Director Mintz. The communication authorizes Mr. Mintz to testify, to the extent of his personal knowledge, to the following:

1) Departmental and Bureau policies and practices relating to the initiation, continuation and termination of the above electronic surveillances and surveillances of the plaintiffs, including records kept, the receipt, evaluation and dissemination of the contents of such surveillances, and the monitoring of the use of such surveillances, including minimization of overhearings;

2) The evaluation of the information obtained from such surveillances;

3) The development of and the basis for the Department's legal position with regard to the lawfulness of such surveillances, as well as any ex parte communications with the court in this regard;

4) The relationship between the Department or the Bureau and the telephone company with regard to such surveillances;

5) The Department's position with regard to the indemnification of Government officials sued for conducting electronic surveillances and the authority of the Department to furnish legal counsel to Government officials so sued; and

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
(D. D. C.), Civil Action No. 1768-69

6) The Intelligence Evaluation Committee to the extent
such information relates to the plaintiffs herein or the above
surveillances.

RECOMMENDATION:

For information.

I will attend at 2 p.m. today.

Jam

PLM

Jam *over*

~~CONFIDENTIAL~~

CIVIL SUBPOENA

United States District Court
for the
District of Columbia

DELLINGER, et al.

Plaintiff.

vs.

CIVIL ACTION No. 1768-69

MITCHELL, et al.

Defendant.

To: Mr. John A. Mintz, Asst. Legal Counsel
Federal Bureau of Investigation
Washington, D. C.

YOU ARE HEREBY COMMANDED to appear in (~~the court~~) (the office of David Rein, Esq.,
Suite 430, National Press Building, 14th & F Streets, NW,
Washington, D. C.

to give testimony in the above-entitled cause on the 8th day of May, 19 75,
at 2 o'clock P. m. (and bring with you)

and do not depart without leave.

James F. Davey, Clerk

By

Robert L. Lene
Deputy Clerk.

Date April 14, 1975

Morton Stavis

Attorney for { Plaintiff.
~~Defendant.~~

RETURN ON SERVICE

Summoned the above-named witness by delivering a copy to him and tendering to him the fees
for one day's attendance and mileage allowed by law on the 14th day of April,
19 75, at Washington, D.C.

Dated

Subscribed and sworn to before me, a _____ this _____ day of _____, 19 _____

NOTE.—Affidavit required only if service is made by a person other than a U.S. Marshal or his deputy.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 5/9/75

FROM : Legal Counsel *[Signature]*

SUBJECT: DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(D. D.C.)
CIVIL ACTION NO. 1768-69

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

In this civil action certain of the plaintiffs were incidentally overheard as the result of national security electronic surveillances, and they seek money damages. By memorandum dated 5/8/75, I advised that on 4/15/75, a subpoena was received which commanded me to give testimony concerning this action and that on 5/8/75, I received authority from the Assistant Attorney General, Criminal Division, to be deposed.

On 5/8/75, at 2:30 p.m., I, accompanied by SA of this Division and Edward S. Christenbury and Jonathan B. Smith of the Criminal Division, appeared at the office of National Press Building, Washington, D. C. Counsel for plaintiffs in this action, Morton Stavis, who was assisted by four Rutgers University law students, generally asked questions pertaining to warrantless electronic surveillance. Information was furnished to the extent of my personal knowledge prior to 2/71. Concerning my knowledge from 2/71, to the present, that is, the period of my assignment to the FBI's Legal Counsel Division, however, no information was furnished, and the attorney—client privilege was invoked.

62-112989

- 1 - Mr. Adams
- 1 - Mr. Wannall
- 2 - Mr. Mintz
- 1 -

EX-101
REC 17

MAY 14 1975

CONTINUED ~~OVER~~

GML:lsh
(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY 2519/24

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al. v.
John N. Mitchell, et al., etc.

In order to obtain testimony concerning my knowledge for the period 2/71, to the present, plaintiffs must obtain a court order compelling me to testify. The Department has indicated that it will stand fast and defend vigorously the assertion of this privilege.

Attorneys in this Division must preserve the confidences and secrets of our clients, Bureau officials and FBI personnel. If we are compelled to testify concerning the confidences of these individuals they will be unable to come to us with the assurance that the usual lawyer-client relationship will prevail and thus they will be less willing to seek our advice. Operational personnel might then make decisions without the advice of legal counsel and the public interest could be damaged in a substantial way.

RECOMMENDATION:

None. For information.

[Handwritten signature]

[Handwritten initials JBA]
[Handwritten initials PLM]

[Handwritten signature]

FBI

Date: 4-29-75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, CLEVELAND (66-5396)

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69
BUDED: 4-30-75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 NJG/24

2-9-93 1048 DKM WPC
315820

Re Bureau airtel, 4-24-75.

Enclosed for the Bureau are five (5) copies of an LHM as requested in re airtel.

Cleveland notes that info in Appendix A relating to ABBOTT H. HOFFMAN indicates HOFFMAN was overheard on 4-13-70 at 718 Stow Street, Kent, Ohio. The date of the overhearing should be 4-13-71.

- 2 - Bureau (Enc. 5) (RM)
- 2 - Cleveland (1-100-31175)

RGS:nrb
(4)

ST 114

5 MAY 1 1975

b6
b7C

Approved: [Signature] 1975
Special Agent in Charge

Sent _____ M Per _____

See memo AAG, Criminal Division
5/20/75 Gmt: nrb

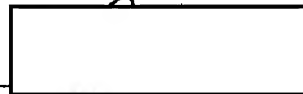
[Handwritten notes: D. Smith, advised, from, W340]

[Handwritten notes: CC LHM furnished to Dept att. D. Smith 5/5/75 gmf]

ENCLOSURE

REC-23

62-112989-320





UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Cleveland, Ohio

April 29, 1975

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

The following information is set forth in response
to interrogatories 1 and 2 of plaintiffs' second set of
interrogatories.

RE INTERROGATORY 1

b6
b7C

Former Special Agent in Charge (SAC) CHARLES G.
CUSICK, currently employed by [redacted]
[redacted] was assigned to the Cleveland Division at the
time of the installation of the below-listed surveillances
and during the entire time that they were in operation:

A)

[redacted]

Telephone surveillance
on telephone numbers

[redacted]

B)

[redacted]

Telephone surveillance
on telephone number

[redacted]

b3
b6
b7C

C)

[redacted]

Telephone surveillance
on telephone numbers

[redacted]

The above telephone numbers were listed

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/18/82 BY 205549/200
2-9-93 1048 DCM/SC
315820

ENCLOSURE

62-112989-320

RE: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

Mr. CUSICK was assigned to the Cleveland Division
when all individual overhearings of [REDACTED]
[REDACTED] occurred.

RE INTERROGATORY 2

On [REDACTED] Mr. CUSICK learned of the
installation of the telephone surveillance on [REDACTED]
[REDACTED] and on [REDACTED]
[REDACTED] The Director, FBI, was informed by Cleveland
communication dated [REDACTED] that these surveillances
had been installed.

b3
b6
b7C

On [REDACTED] Mr. CUSICK learned of the
installation of the telephone surveillance on [REDACTED]
[REDACTED] The Director, FBI, was informed by Cleveland
communication dated [REDACTED] that this surveillance
had been installed.

FBI

Date: 5/6/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)b6
b7C

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, BOSTON (62-5411)

SUBJECT: DAVID T. DELLINGER, ET AL. VS.
ATTORNEY GENERAL JOHN N. MITCHELL, ET AL.
ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS
(ATTENTION INTELLIGENCE DIVISION, SECTION CI-3)

Re Bureau airtel, 4/24/75. *per 315*

Enclosed for the Bureau are (4) copies of an LHM, dated and captioned as above.

(1) copy of this LHM was furnished to the Bureau by Facsimile Machine on 5/6/75, Attn: Bureau Supervisor, Legal Counsel Division.

b6
b7C

EX-110

REC-6

62-112989-321

15 MAY 9 1975

4- ENCLOSURE 2-0

3- Bureau (62-112989) (Encls. 4)
2- Boston (62-5411)

RWK/ck

(5)

CC 5649
gm

FIVE

LEGAL COUNSEL

b6
b7C

70 MAY 27 1975

Approved: *[Signature]*

Special Agent in Charge

Sent _____ M Per _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 1/4/82 BY *[Signature]*8993 1088 *[Signature]*

3458220



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 62-5411

Boston, Massachusetts

May 6, 1975

DAVID T. DELLINGER, AND OTHERS, VERSUS
ATTORNEY GENERAL JOHN N. MITCHELL, AND OTHERS
ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS

With respect to the second set of interrogatories filed by the plaintiffs in this matter, the following is set forth in reply:

1. Former Special Agent in Charge, James L. Handley was the Official in Charge of the Boston Office of the Federal Bureau of Investigation (FBI) during the period from October 19, 1970 to March 19, 1971 when the telephone installations maintained by the Boston Office and identified on Page 22 of the defendant's answer to the plaintiff's interrogatory Number One were in operation. This answer, identified as Appendix A, sets forth the following telephone numbers on which telephone surveillances were installed by the Boston Office:

- A. Telephone Number [redacted]
B. " " [redacted]
C. " " [redacted]

Mr. Handley died on February 17, 1973.

2. The records of the Boston Office of the FBI fail to reflect the date on which Mr. Handley was notified of the above installations.

By communication dated [redacted] the Director, FBI, was informed that the installation of the telephone surveillance on telephone numbers [redacted] and [redacted] was completed on that date.

By communication dated [redacted] the Director, FBI, was advised by the Boston Office that the installation of a telephone surveillance on telephone number [redacted] was completed on [redacted]

By communication dated [redacted] the

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/4/82 BY SP5 JAG/ep
1048061/80
3158220

b3
b6
b7C

ENCLOSURE

62-112989-321



DAVID T. DELLINGER, AND OTHERS, VERSUS
ATTORNEY GENERAL JOHN N. MITCHELL, AND OTHERS
ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS

b3
b6
b7C

Director, FBI, was advised that as of that date the telephone surveillance installations on telephone numbers [REDACTED] [REDACTED] and [REDACTED] were discontinued.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Date of Mail 5/9/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JJA/104
2-9-93 1048DKM18
315820

Subject JUNE MAIL DAVID T. DELLINGER

Removed By 79 MAY 30 1975

File Number 62-112989-322

Permanent Serial Charge Out

Airtel

April 24, 1975

To: SACs Baltimore (Enc. 2) (157-3241 Sub A)
Boston (Enc. 2) (62-5411)
Chicago (Enc. 2) (62-7126)
Cleveland (Enc. 2) (66-5396)
Detroit (Enc. 2) (62-5032)
Los Angeles (Enc. 2) (94-430)
New Haven (Enc. 2) (66-3543)
New York (Enc. 2) (100-121672)
Philadelphia (Enc. 2) (157-2004)
Sacramento (Enc. 2) (66-179)
San Francisco (Enc. 2) (66-672 B)
Washington Field (Enc. 2) (66-779 Sub G)

1 - Mr. Wannall
1 -
2 - Mr. Mintz
1 -

b6
b7C

From: Director, FBI (62-112989)

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69
BUDED: 4/30/75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/4/82 BY 2992-10485 kmv

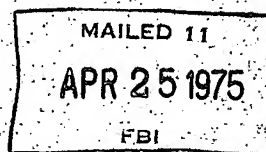
Enclosed for each receiving office is one copy of plaintiffs' second set of interrogatories and one copy of Appendix A of defendants' response to interrogatories earlier propounded by plaintiffs in this civil action.

FBI Headquarters must furnish to the Department information responsive to plaintiffs' second set of interrogatories.

Disregarding surveillances in Appendix A which are the subject of claims of Executive privilege, please furnish to the Bureau, Attention:

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Rec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec. _____

GML:lsb
(30)



21 MAY 20 1975

TELETYPE UNIT ☐

GPO 954-546

Airtel to Baltimore, et al.
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

Legal Counsel Division, by LHM, information responsive to Interrogatories 1 and 2 of plaintiffs' second set of interrogatories. Regarding Interrogatory 1 furnish the identities and present business addresses, if known, of the SACs who were assigned to your Division at the time of:

1. The installation for each surveillance identified in Appendix A; (These include surveillances wherein individuals were overheard as well as surveillances of the Black Panther Party.)
2. Each individual overhearing identified in Appendix A (pages 1 through 19); and,
3. Each surveillance of the Black Panther Party identified in Appendix A (pages 20 through 27). (Here, of course, more than one SAC may have been assigned to your Division during the period of a surveillance.)

Regarding Interrogatory 2, identify the date that the appropriate SAC learned of the installation of the surveillances identified in Appendix A. If your records fail to reflect such a date, so state. Also, identify the date of the communication to the Director, FBI, wherein your Division informed him of the installation for each surveillance identified in Appendix A.

Set forth the above information in an LHM, so the reader may readily apply it to the information set forth in Appendix A.

Disregard Interrogatories 3 through 8.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 06 1975

TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Off. Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 006 SC CODED

5-41 PM NITEL 5/6/75 RRH

TO DIRECTOR (62-112989)

FROM SACRAMENTO (157-52 SUB 1)

ATTN: LEGAL COUNSEL SECTION

DAVID T. DELLINGER, ET AL, V. JOHN N. MITCHELL, ET AL, (DDC)

CIVIL ACTION NO. 1768-69.

RE LOS ANGELES NITEL TO BUREAU, APR. 7, 1975.

ON MAY 6, 1975, FEMALE, [REDACTED] (LNU), WHO IDENTIFIED HERSELF AS
SECRETARY TO [REDACTED] TELEPHONICALLY CONTACTED SACRAMENTO
OFFICE AND ADVISED [REDACTED] DESIRED TO MAKE ARRANGEMENTS TO REVIEW
FILES AT SACRAMENTO OFFICE AT APPROXIMATELY 10:30 AM, THURSDAY, MAY 8,
1975. ARRANGEMENTS WERE SO MADE.

INTERESTED OFFICES ADVISED BY AIRMAIL OF [REDACTED] VISIT TO
SACRAMENTO OFFICE.

REC-117

E N D

HOLD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY [REDACTED]

2-9-93

1048 Dkm/80

315820

50 JUN 06 1975

21 MAY 20 1975

LEGAL COUNSEL

UNITED STATES GOVERNMENT

Memorandum

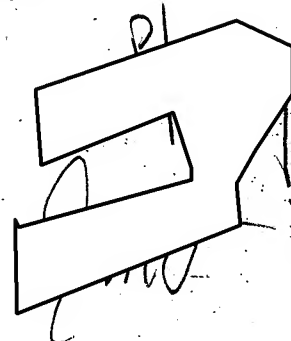
TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

DATE: 4/23/75

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection *[initials]*
Intell. *[initials]*
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____



In captioned civil action plaintiffs seek damages for allegedly illegal electronic surveillance. Pursuant to court order plaintiffs are being given access in our field offices to the tapes, logs, and transcripts concerning this coverage.

By memorandum dated 4/16/75, the Department enclosed a copy of plaintiffs' second set of interrogatories and requested that information responsive to these interrogatories be made available to them.

Interrogatories 1 and 2 ask for the names and current addresses of the officials to whom FBI Agents installing and monitoring the electronic surveillance reported as well as the dates that such officials received information from the installers of the electronic surveillances. By attached airtel pertinent FBI field offices are being requested to furnish information responsive to these interrogatories.

Interrogatory 3 asks for the names and current addresses of officials having had supervisory authority over the electronic surveillances referred to in Interrogatory 1. The names of pertinent SACs as well as the late Director J. Edgar Hoover's name will be furnished as responsive to this Interrogatory.

Enc.

62-112989

- 1 - Mr. Wannall
- 1 -
- 2 - Mr. Mintz
- 1 -

GML:lsh

[Handwritten signatures and initials]
4 1975

ST-117

REC-56

MAY 21 1975

CONTINUED - OVER

b6
b7C

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY *[signature]* 3/5/82
2-9-93 1048 B.C.M.

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al. v.
John N. Mitchell, et al., etc.

Interrogatories 4 and 5 ask for the hierarchial position held by FBI officials named in response to Interrogatories 1 and 3 and the scope of their supervisory authority. An explanation of the hierarchial position of SACs and the Director and a statement concerning the scope of their supervisory authority will be furnished as responsive to these interrogatories.

Interrogatory 6 asks for the names, addresses and positions of all persons to whom the contents of the electronic surveillances in question were revealed. This interrogatory will be objected to on the ground of burdensomeness. Involved here are a substantial number of tapes, logs and transcripts located in 12 FBI field offices. An impossible and unreasonable burden would be placed on this Bureau if we were required to furnish information responsive to this interrogatory. We will also submit that plaintiffs have shown no good cause for the production of this information.

Interrogatory 7 asks for the current addresses of certain former or present officials of the FBI, including "Mark Felt," "William Sullivan" and "William Brennan." The last known addresses for Felt and Sullivan will be furnished. As to William Brennan, plaintiffs are probably referring to Charles D. Brennan. We, however, will answer by stating we have no present or former official by the name of William Brennan.

Interrogatory 8 asks for the identity of persons who attended meetings of the Intelligence Evaluation Committee (IEC). Inasmuch as the IEC was directed by the Department, the Departmental attorney handling this matter indicated the Criminal Division would furnish information responsive to this question.

RECOMMENDATION:

That the attached airtel be approved and sent.

50A
PCH

FSP

JH

20D
W. R. W. A. B.

JH

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTN: LEGAL COUNSEL DIVISION

FROM : SAC, SACRAMENTO (157-52 Sub 1) (P)

SUBJECT: DAVID DELLINGER, et al, v.
JOHN N MITCHELL, et al
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

DATE: 5/9/75

Re Sacramento nitel to Director, 5/6/75.

Enclosed for the Bureau are five copies of an LHM reflecting plaintiff's inspection of Sacramento file re captioned matter.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY 5/11/74

2-9-93

1048DCM/SC

3/58 20

ST-117

REC-23

16 MAY 19 1975

b6
b7C

CC 5640

2 - Bureau (Enc. 5) (RM)
2 - Sacramento
HLL:emw
(4)



5010-110

JUN 4 1975

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Sacramento, California

In Reply, Please Refer to
File No.

May 9, 1975

DAVID DELLINGER, et al, v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

b6
b7C

On May 8, 1975, [REDACTED]

[REDACTED] appeared at the
Sacramento, California, Office of the Federal Bureau of
Investigation, at which time he was given access to
certain documents pursuant to court order.

These documents are described as follows:

Surveillance logs with partial transcriptions
of a telephone surveillance conducted by the FBI from
[REDACTED] on telephones at
[REDACTED]

b3

[REDACTED] made notes concerning information
contained in these logs; however, no copies of the logs
were made.

b6
b7C

His review of the logs lasted approximately
35 minutes and he advised upon leaving that he did not
expect further review of these logs would be necessary.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/92 BY SP-5 JG/JP

2-9-93 10485 Kml/JO

315820

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed
outside your agency.

62-112989-326

ENCLOSURE

FBI

Date: 4/29/75

Transmit the following in _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

Via AIRTEL

DATE ^(Priority) 1/4/82 BY sp 5/19/82

TO: DIRECTOR, FBI (62-112989) 3 1048 DKm180 315820

FROM: SAC, NEW HAVEN (66-3543) (C)

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

ReBuairtel 4/24/75. Re 315

Enclosed for the Bureau are 6 copies of an LHM dated and captioned as above.

For the information of the Bureau, former SAC CHARLES E. WEEKS retired in 1973. Home address for former SAC WEEKS is [redacted] which address not set forth in LHM.

Although electronic surveillance transferred from [redacted] to [redacted] is identified as one surveillance in enclosed LHM.

EX 104

REC-762 112989-327

MAY 1 1975

2 Bureau (Enc. 6) (RM)
1 New Haven
GSP:eam
(3)

Approved: [Signature] Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 66-3543

New Haven, Connecticut
April 29, 1975

DAVID DELLINGER, ET AL.,
VS. ATTORNEY GENERAL JOHN
N. MITCHELL, ET AL.

b3

Regarding electronic surveillance of [REDACTED]

on telephone numbers [REDACTED]

CHARLES E. WEEKS (retired) was the Special Agent in Charge (SAC) of the New Haven Division during that period of time.

Records of the Federal Bureau of Investigation (FBI), New Haven, Connecticut, do not reflect the date former SAC CHARLES E. WEEKS learned of the installation of the above electronic surveillance. By a communication dated [REDACTED]

[REDACTED] the New Haven Office of the FBI informed FBI Headquarters, Washington, D.C. of the installation of the above electronic surveillance.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY 1048 DCM/80

2-9-93

315820

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

62-112989-327

F B I

Date: 5/6/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)TO: DIRECTOR, FBI (62-112989)
ATTN: LEGAL COUNSEL SECTION

FROM: SAC, SACRAMENTO (157-52 Sub 1) (P)

DAVID DELLINGER, et al, v.
JOHN N. MITCHELL, et al
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

ReBuairtel to Baltimore, 4/24/75.

Enclosed for the Bureau are five copies of LHM reflecting Sacramento Division's response to plaintiffs' second set of interrogatories.

The Bureau should note that enclosed LHM previously furnished by facsimile on 5/6/75.

2-9-93 1048 DCM/S
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY sp5 jg/vr

REC-762-112989-328

2 - Bureau (Enc. 5) (RM) EX 104
1 - Sacramento
HLL:epg
(3)

14 MAY 9 1975

b6
b7CApproved: 54 AUG 22 1975

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Sacramento, California
May 6, 1975

DAVID T. DELLINGER, ET AL, V.
JOHN N. MITCHELL, ET AL
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

In response to plaintiffs' second set of interrogatories, the following information is set forth concerning a telephone surveillance conducted by the Federal Bureau of Investigation (FBI) [REDACTED]

b3

Re: Interrogatory #1

Special Agent in Charge (SAC) John H. Williams, retired, c/o FBI, P.O. Box 13130, Sacramento, California 95813, was SAC of the Sacramento Division at the time of the installation of the surveillance set forth above.

Re: Interrogatory #2

SAC Williams was advised of the installation of the surveillance identified in Appendix A on [REDACTED] and by communication dated [REDACTED] the Director, FBI was informed of the installation of the surveillance set forth above.

b3

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 JAG/rp
2-9-93 1048 DCM/8 315820

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

1*

62-112989-328

F B I

Date: 5/1/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO : DIRECTOR, FBI (62-112989)
ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, DETROIT (62-5032)(P)

DAVID DELLINGER, et al

vs

JOHN N. MITCHELL, et al
(USDC, D.C.)

CIVIL ACTION NUMBER 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 1/4/82 BY SP5 sjh/ep2-9-931048 DCM/SC315820

Re Bureau airtel of 4/24/75.

Enclosed for the Bureau are the original and three
copies of an LHM regarding captioned matter.For former SAC PAUL H. STODDARD, the only business
address that the Detroit Division possesses is
 A more current residence should be available in the
files of retired personnel maintained at FBIHQ.The answers to Interrogatory Number 1 and Interrogatory
Number 2a through 2g for sub para-
graph 16, 17, and 18 list incorrect telephone numbers for the
technical surveillance conducted by Detroit. The corrected
telephone numbers are listed in the enclosed LHM.② - Bureau (Encls. 4)(RM)
2 - Detroit
RWM/dmz
(4)

ENCLOSURE

REC-7

62-112989

32

EX 104

3 MAY 1975

LEGAL COUNSEL

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Detroit, Michigan
May 1, 1975

b3
b6
b7C

Re: David T. Dellinger
Versus
John N. Mitchell

The technical surveillance which was instituted on

[redacted]
[redacted] commenced on [redacted]
On [redacted] the Director of the Federal Bureau of
Investigation (FBI) was advised of the initiation of the
surveillance and on [redacted] the Director of the FBI
was advised of the termination of the surveillance.

The technical surveillance which was instituted on

[redacted]
[redacted] commenced on [redacted] and terminated [redacted]
[redacted] The Director of the FBI was advised on [redacted]
of the initiation of the surveillance and he was advised on
[redacted] of it's termination.

The technical surveillance which was instituted on

[redacted]
[redacted] commenced on [redacted] and terminated on
[redacted] The Director of the FBI was advised of the
initiation of the surveillance on [redacted] and he was
advised on [redacted] that the surveillance had been
terminated.

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY sp/54/pt/315820
a-9-93 1048BKM/80

ENCLOSURE

62-112989-329
ENCLOSURE

Re: David T. Dellinger
Versus
John W. Mitchell

b3
b6
b7C

The technical surveillance which was instituted on [redacted]
[redacted] commenced on [redacted] and was terminated
[redacted] The Director of the FBI was advised on
[redacted] that the surveillance had been initiated and
he was advised on [redacted] that the surveillance had
been terminated.

There is no record which indicates when the following
listed Special Agents in Charge were advised of the technical
surveillances starting and terminating.

Paul H. Stoddard [redacted] was the Special
Agent in Charge during the technical surveillances of 1969
and at the start of the surveillance which began [redacted]

Neil J. Welch [redacted], became Special
Agent in Charge of the Detroit Division on May 18, 1970, while
the surveillance on [redacted] was being conduct-
ed. Mr. Welch was the Special Agent in Charge, Detroit Division
FBI during the surveillance of [redacted] which
was terminated on [redacted]

The technical surveillance which was instituted on [redacted]
[redacted] commenced on [redacted] and terminated
on [redacted] The Director of the FBI was advised of
the initiation of the surveillance on [redacted] and of
it's termination on [redacted] Neil J. Welch was Special
Agent in Charge of the Detroit Division during the surveillance
of [redacted]

FBI

Date: 4/30/75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-112989)
(Attention: Legal Counsel Division)

FROM: SAC, BALTIMORE (157-3241 Sub A)

DAVID DELLINGER, et al., V.
JOHN N. MITCHELL, et al.
U.S.D.C., D.C.
CIVIL ACTION NO. 1768-69
BUDED: 4/30/75

Re Bureau airtel dated 4/24/75.

Enclosed for the Bureau is the original and five (5) copies of a LHM in response to interrogatories to defendant JOHN N. MITCHELL as ordered by the court.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JIG/4 315020
2-9-93 1048 DCM/SC

REC-7 62-112989-330

EX 104

21 MAY 1975

- 3 - Bureau (Enc. 6)
1 - Baltimore

MMW:vlh
(4)

b6
b7C

Approved: _____

54 JUL 9 1975

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Baltimore, Maryland

April 30, 1975

DAVID T. DELLINGER; et al., V.
JOHN N. MITCHELL; et al.
ALLEGED VIOLATION OF CONSTITUTIONAL
RIGHTS

The Baltimore Office of the Federal Bureau of
Investigation (FBI) operated [redacted]

[redacted] from [redacted]
until [redacted] The surveillance was resumed
at [redacted] This was
located at [redacted] The
surveillance was discontinued on [redacted]

Mr. Victor Turyn was the Special Agent in Charge
(SAC) of the Baltimore Office of the FBI during the entire
period mentioned above. Mr. Turyn has since retired. He is
now employed by [redacted]

[redacted] This institution is located at
[redacted]

There is no indication at Baltimore when SAC Turyn
first learned of [redacted]

[redacted] FBI headquarters was notified
of the installation of [redacted]

[redacted] by letters of [redacted]
and [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE

1/4/82
2/9/93

BY

25 jg/rp

1048 DEm/SC

315820

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to
your agency; it and its contents are not to be distributed
outside your agency.

ENCLOSURE

62-112989-330



F B I

Date: 5/5/75

Transmit the following in _____

(Type in plaintext or code)

AIRTEL

Via _____

(Priority)

TO: DIRECTOR, FBI (62-112989)
 ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, WFO (66-779 SUB G)(P)

DAVID DELLINGER, et al, v.
 JOHN N. MITCHELL, et al.
 (USDC, D.C.)
 CIVIL ACTION NO. 1768-69

Reurairtel, 4/24/75.

Enclosed are original and three copies of a
 self-explanatory letterhead memorandum.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY sp5 yq/rp
 2-9-93 1048Dcm/so
 315820

EX-101

REC-37

62-112989-331

16 MAY 20 1975

2 - Bureau (Enc)
 1 - WFO

CWC:mm1
 (3)

cc of furnished
 LHM from the Dept
 5/8/75
 to 2 bml

Approved: [Signature]
 Special Agent in Charge

Sent _____ M Per _____

b6
 b7C

See Bureau of AG, Criminal Division
 5/20/75 Sub. memo



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535

May 7, 1975

In Reply, Please Refer to
File No.

DAVID DELLINGER, ET AL, V.
JOHN N. MITCHELL, ET AL
(UNITED STATES DISTRICT COURT,
DISTRICT OF COLUMBIA
CIVIL ACTION NUMBER 1768-69)

Reference is made to Answers to Interrogatory Number 1 and Interrogatory Number 2a through 2g for the Black Panther Party, item numbers 34 and 35, and following Answers to Plaintiff's Second Set of Interrogatories to Defendant John N. Mitchell.

34-1. Edwin Tully was Special Agent in Charge (SAC) of the Washington Field Office (WFO) during surveillance period of [redacted] through and including [redacted] when he retired from the Federal Bureau of Investigation (FBI). His current business address is unknown. Robert Kunkel was SAC of the WFO during the surveillance period of August 1, 1970, to February 1, 1971, and from April 19, 1971, to June 25, 1971. Kunkel is currently SAC, FBI, 300 North Lee Street, Alexandria, Virginia, 22314.

34-2. Records fail to identify the dates SAC's Tully and/or Kunkel learned of the installations of the above surveillances. However, headquarters of the FBI were sent communications from the SAC, WFO, dated [redacted] and [redacted].

34-3. SAC Kunkel was assigned to the WFO during all surveillances described except for period of June 10, 1970, through and including July 30, 1970, when Tully was SAC.

35-1. Edwin Tully was SAC of the WFO during surveillance period of July 30, 1970, only. Robert Kunkel was SAC of the WFO during the surveillance period August 1, 1970, to June 25, 1971. He is currently SAC, FBI, 300 North Lee Street, Alexandria, Virginia, 22314.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

42-112989-331

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY 60549/br 315820

b3

DAVID DELLINGER, ET AL, V.
JOHN MITCHELL, ET AL

35-2. Records fail to identify the dates SAC Tully or Kunkel learned of the installation of the above surveillances. However, headquarters of the FBI were sent communications from the SAC, WFO dated [] and [] advising of the installations. b3

35-3. SAC Kunkel was assigned to the WFO during all surveillances described above except for July 30, 1970, only.

F B I

Date: 4/29/75

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, LOS ANGELES (176-79B)(P)

SUBJECT: DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69
BUDED 4/30/75

ATTN: LEGAL COUNSEL
DIVISION

Re Bureau airtel dated 4/24/75.

Enclosed for the Bureau are five copies of a letterhead memorandum setting forth responses to plaintiffs' second set of interrogatories as they pertain to the Los Angeles Division.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY sp5 rjg/rp
2-9-93 10480 km (S) 315820

b3

b6

b7C

REC-37

EX-101

2 - Bureau (Enc. 5) (RM)
1 - Los Angeles

TC/jla
(3)

MAY 2 1975

LEGAL COUNSEL

b6

b7C

Approved:

58 AUG 22 1975

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

April 29, 1975

In Reply, Please Refer to
File No.

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

The following is in response to interrogatories propounded by the plaintiffs in the above-captioned civil matter as set out in the plaintiffs' second set of interrogatories to the defendants in this matter: (See items 21 through 28 of Appendix.)

INTERROGATORY #1



Former Special Agent in Charge (SAC)
Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

b3



Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp5 jg/p
2-9-93 1048 BKM/SC

315820

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

62-112889-332
ENCLOSURE



DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

[Redacted]

Former SAC Wesley G. Grapp
Flying Tiger Airfreight Worldwide
7401 World Way West
Los Angeles, California

INTERROGATORY #2

[Redacted]

Period SAC Wesley G. Grapp received reports:
[Redacted] through [Redacted]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [Redacted] captioned
"Black Panther Party, Los Angeles Division,
Racial Matters."

[Redacted]

Period SAC Wesley G. Grapp received reports:
[Redacted] through [Redacted]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [Redacted] under
BPP caption.

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

b3

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles teletype dated
[REDACTED] under BPP caption.

[REDACTED] [REDACTED] [REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Previous authority utilized to
continue former installation at this address.
Authority to continue contained in Los Angeles
airtel to FBI Headquarters dated [REDACTED]
under BPP caption.

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [REDACTED] under
BPP caption.

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles teletype dated
[REDACTED] under BPP caption.

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles teletype to FBI
Headquarters dated [REDACTED] under
BPP caption.

b3

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [REDACTED] under
BPP caption.

F B I

Date: 4/30/75

Transmit the following in _____
(Type in plaintext or code)

AIRTEL

Via _____
(Priority)TO : DIRECTOR, FBI (62-112989)
ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, CHICAGO (62-7126)

DAVID DELLINGER, ETAL V.
JOHN N. MITCHELL, ETAL
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69
BUDED 4/30/75ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 1-4-82 BY sp5 jgh/bp
2-9-93 1048 DCM/SC

M1315315820

ReBuairtel to Baltimore, etal, this caption 4/24/75.

Enclosed for the Bureau are five copies of a LHM
responsive to instructions in reairtel.Attached to reBuairtel was a copy of plaintiff's
second set of interrogatories dated 4/9/75 and an appendix
containing specific overhearings of record regarding each
plaintiff, the appendix earlier propounded by plaintiffs in
connection with a prior brief.Since this appendix contained overhearing dates
set out individually by respective plaintiff, and as Bureau
instructed only that the LHM be readily applicable to the
appendix, Chicago has likewise set forth the requested
information, that is under plaintiff caption in the same order.It was not deemed necessary to specifically identify
each overhearing date listed in this appendix in terms of the
particular SAC who was then serving at Chicago. The effective
dates of each SAC's assignment here is set forth in specifics
in the enclosed and consequently it appears that such informa-
tion is immediately apparent to any reader.2 - Bureau (Enc. 5)
1 - Chicago
JCS:meb
(3)

ENCLOSURE

REC-37

3 MAY 3 1975

EX-101

Approved: _____
Special Agent in ChargeSent _____
Per _____

58 AUG 22 1975

See memo AGG, Civil Div
5/20/75b6
b7C

CG 62-7126

In that connection Chicago is cognizant that former SAC JOHNSON's effective retirement date was 6/15/70 rather than 5/3/70 as shown in enclosed. However, inasmuch as SAC BATES formally assumed official responsibility for the Chicago Office on the latter date, it was felt more practical to remove from the LHM any indication of a question of dual or overlapping authority.

Above for information of the Bureau.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Chicago, Illinois

In Reply, Please Refer to
File No.

April 30, 1975

DAVID DELLINGER, ET AL,
PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL,
DEFENDANTS
CIVIL ACTION NUMBER 1768-69
UNITED STATES DISTRICT COURT,
WASHINGTON, D.C.

Reference is made to document dated April 9, 1975, entitled Plaintiffs Second Set of Interrogatories to Defendant John N. Mitchell.

Set forth hereinafter is information as available from records, Chicago Office, Federal Bureau of Investigation, responsive to Interrogatories numbered 1 and 2, in referenced document. Responses are set forth under the name of the individual plaintiff, where applicable to Chicago:

DAVID DELLINGER

A. Interrogatory Number 1

--

b3
b6
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2-9-93 1048 D/Cm PC 3158-20
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp5 nja/fp

ENCLOSURE

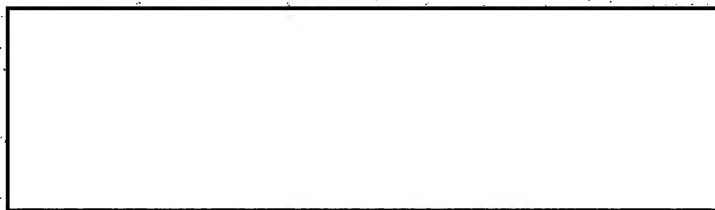
62-112989-333

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

Marlin W. Johnson was Special Agent in Charge (SAC) of the Chicago FBI Office at the time of the installation of telephone surveillances on above listed numbers, as well as the dates of overhearings indicated after the telephone number in question.

His effective dates of assignment to Chicago were October 16, 1962, to May 3, 1970.

Johnson's current business address is as follows:



b6
b7C

B. Interrogatory Number 2

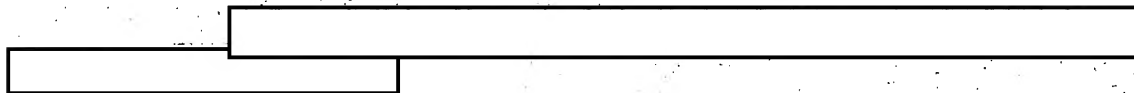
Records of the Chicago Office reflect that former SAC JOHNSON was aware of the installation of [redacted] surveillance on [redacted] as of [redacted] On [redacted] the Chicago Office advised the Director, FBI, Washington, D.C., of the activation of this installation on [redacted]

Records of the Chicago Office reflect former SAC JOHNSON was aware of the installation of telephone surveillance on [redacted] on [redacted] On that date the Chicago Office informed the Director, FBI, of this installation, to be activated A.M. the following day.

b3
b6
b7C



A. and B. Interrogatories Number 1 and Number 2



Information which is responsive to both Interrogatories 1 and 2 will be found in the response under [redacted] cation, that is as to identity of SAC, Chicago, at time of overhearing and as to installation of the telephone surveillance on [redacted]

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

[REDACTED]
A. and B. Interrogatories Number 1 and Number 2

[REDACTED]
[REDACTED]
Information responsive to these two Interrogatories will be found, as in the case of [REDACTED] in the above responses under [REDACTED] caption.

[REDACTED]
A. and B. Interrogatories Number 1 and Number 2

[REDACTED]
[REDACTED]
[REDACTED]
Note that regarding the dates of the installation of [REDACTED] and [REDACTED] as well as regarding the dates of each of the above specified overhearings, information has been set forth previously reflecting Marlin W. Johnson to have been then assigned the Chicago FBI Office as SAC.

Regarding [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] the following is set forth:

[REDACTED]
Records of the Chicago Office reflect that former SAC Johnson was aware of the installation of telephone surveillance on this number as of [REDACTED] the same date the Director, FBI, was advised of the activation of this installation.

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

[REDACTED]

Records of the Chicago Office reflect that former SAC Johnson was aware of the installation of [REDACTED] as of [REDACTED]. On that date the Director, FBI, was advised of the activation, same date, of this installation.

b3
b6
b7C

[REDACTED]

Records of the Chicago Office, FBI, reflect that the Director, FBI, was informed of the telephone installation [REDACTED] on [REDACTED] and on [REDACTED] on [REDACTED].

Attention is directed to previous information reflecting former SAC Johnson terminated his tour of duty as SAC, Chicago, effective May 3, 1970.

On May 3, 1970, Charles W. Bates assumed the post of SAC, Chicago FBI Office, where he so served until October 3, 1971.

Mr. Bates is currently assigned as SAC, San Francisco Office, FBI, address 450 Golden Gate Avenue, San Francisco, California 94102.

A review of the appropriate records of the Chicago Office fails to reflect SAC Bates was aware of the installations on [REDACTED] and [REDACTED] which occurred during his tenure of duty at Chicago.

BOBBY G. SEALE

A. and B. Interrogatories Number 1 and Number 2

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

Under [redacted] caption, above, information was set forth reflecting Charles W. Bates served as SAC, Chicago FBI Office, in the period [redacted] to [redacted]

On October 18, 1971, Mr. Roy K. Moore assumed the position of SAC, Chicago FBI Office, serving in this capacity until January 15, 1973.

Mr. Moore's current business address is [redacted]
[redacted]

During the period October 3, 1971, to October 18, 1971, prior to Mr. Moore's assumption of the post of SAC, the Acting SAC of the Chicago Office was Mr. Bernard Huelskamp, who was serving in the Chicago Office in this period as Assistant Agent in Charge.

The current business address of Mr. Huelskamp is not known.

In connection with the overhearings set forth above from [redacted] attention is directed to information set forth above under [redacted] caption, as well as immediately above, which collectively contains data responsive to these two Interrogatories.

Regarding the overhearings of [redacted] and [redacted] information under [redacted] caption, above, is responsive thereto relative to Interrogatories 1 and 2.

[redacted]
A. and B. Interrogatories Number 1 and Number 2
[redacted]
[redacted]
[redacted]

DAVID DELLINGER, ET AL, PLAINTIFFS

VS.

JOHN N. MITCHELL, ET AL, DEFFENDANTS

Information responsive to these two Interrogatories will be found in the material set forth above, under the Davis and/or Seale captions.

F B I

Date: 4/29/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-112989)
(ATTN: LEGAL COUNSEL DIVISION)

FROM: SAC, NEW YORK (100-121672) (P)

SUBJECT: DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(USDC, DC)
CIVIL ACTION NO. 1768-69
BUDED: 4/30/75

ReBuairtel to Baltimore, dated 4/24/75.

Enclosed for the Bureau are six copies of an LHM, captioned and dated as above.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY SP5 JG/PP

REC-37

2-9-93

1048 DCM (P)
315820

MAY 1975

2 - Bureau (Encls. 6) (RM)
1 - New York

NFD:ji
(3)

Approved: AUG 26 1975 Sent _____ M Per _____
Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

April 29, 1975

In Reply, Please Refer to
File No.

David Dellinger, ET AL, v.
John N. Mitchell, ET AL
(U.S.D.C., D.C.)
Civil Action Number 1768-69

In response to Interrogatory one of plaintiff's second set of interrogatories, Assistant Director John F. Malone, retired, was assigned to the New York Office of the Federal Bureau of Investigation (FBI) during the time of all of the surveillances in question.

In response to Interrogatory two of plaintiff's second set of interrogatories, no information is available to indicate the date that Assistant Director Malone was advised of the installation of the surveillances in question. With regard to the date, a communication was sent to the Director, FBI informing him of the installation, the following is set forth, broken down by individual plaintiff:

b3
b6
b7C

David Dellinger

1)

[Redacted]

2)

[Redacted]

3)

[Redacted]

[Redacted]

1)

[Redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY SP5 Jig/ld
9-9-93 1048 DCM/ld
3/5820

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

62-116981-31

ST-117

Assistant Attorney General
Criminal Division

REC-20
Director, FBI

May 22, 1975

1 - Mr. Wannall

1 - [redacted]

2 - Mr. Mintz

1 - [redacted]

DAVID DELLINGER, et al.
v. JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY SP5 NAB/1315820
2-9-83 & 1048 JCM/SP

By memorandum dated April 16, 1975, you enclosed a copy of Plaintiffs' Second Set of Interrogatories in this civil action and requested that information in Bureau files responsive to these interrogatories be made available to you. On May 5, 7, and 9, 1975, information in Bureau files responsive to these interrogatories was furnished to Mr. Jonathan B. Smith of your office by Special Agent [redacted] of our headquarters staff. This memorandum will confirm these conversations.

Mr. Smith was furnished one copy each of twelve letter-head memoranda prepared by twelve of our field offices, copies of which are enclosed. Information responsive to Interrogatories 1 and 2 is contained in these memoranda.

Interrogatory 3 asks for the names and current addresses of officials who had supervisory authority over the electronic surveillances referred to in Interrogatory 1. The names of the Special Agents in Charge who had supervisory authority over the surveillances in our field offices, as well as their current business addresses if known, are contained in the enclosed material. The late J. Edgar Hoover, as Director of the FBI, also had supervisory authority over the surveillances until his death on May 2, 1972. The late Clyde A. Tolson served as Acting Director on May 2, 1972, and L. Patrick Gray, III, served as Acting Director from May 3, 1972, through April 27, 1973. Messrs. Tolson and Gray had supervisory authority over the surveillances when they served as Acting Director.

Interrogatories 4 and 5 ask for the hierarchical position held by FBI officials named in response to Interrogatories 1 and 3 and the scope of their supervisory authority.

NOTE: Based on Legal Counsel Division memorandum to Mr. J. B. Adams dated April 23, 1975, captioned as above.

(Bufile 62-112989)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

56 JUN 4 1975

Assistant Attorney General
Criminal Division

The Special Agents in Charge identified in the enclosed letterhead memoranda functioned as the heads of the field offices to which they were assigned, and as such were directly responsible to the Director or the respective Acting Directors who, of course, served as heads of this Bureau.

Interrogatory 6 asks for the names, addresses, and positions of all persons to whom the contents of the electronic surveillances in question were revealed. For your information, involved here are a substantial number of tapes, logs, and transcripts located in twelve FBI field offices. An impossible and unreasonable burden would be placed on this Bureau if we were required to furnish information responsive to this interrogatory. Thus, we recommend that your office object to answering this interrogatory on the ground of burdensomeness. In addition, it does not appear to us that plaintiffs have shown any good cause for the production of this information.

Interrogatory 7 asks for the current addresses of certain present or former officials of the FBI. We have no present or former official by the name "William Brennan" (7a). W. Mark Felt (7b), retired from this Bureau on June 22, 1973. His address as of February, 1975, was 3216 Wynford Drive, Fairfax, Virginia 22030. William C. Sullivan (7c), retired from this Bureau on October 21, 1971. His present address is Sunset Road, Sugar Hill, New Hampshire 03585. Individuals identified in Interrogatories 7d through 7f are believed to be former Departmental officials.

Interrogatory 8 asks for the identity of persons who attended meetings of the Intelligence Evaluation Committee (IEC). Inasmuch as the IEC was directed by the Department, Mr. Smith advised the Department would furnish information responsive to this request.

Enclosures (12)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation
Attention: Office of Legal Counsel

DATE: April 16, 1975

FROM : John C. Keeney
Acting Assistant Attorney General
Criminal Division

SUBJECT: David Dellinger, et al. v. John N. Mitchell, et al.
(D.D.C.) Civil Action No. 1768-69

Please find enclosed a copy of Plaintiffs' second set of Interrogatories to Defendant John N. Mitchell. The defendant's answer to the interrogatories is due on May 9, 1975. Accordingly, it is requested that the information contained in Bureau files necessary for the preparation of the answer be made available to the Department in sufficient time to allow filing of the answer on that date. If disclosure of that information is in your judgment objectionable, please so indicate in order that consideration may be given to interposing an appropriate objection.

Enclosure

ST-117

1CC: Mr. Mintz

REC-20 62-112989-335

5-27
APR 17 1975

ENCLOSURE

b6
b7C

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.,

Defendants.

Civil Action #1768-69

PLAINTIFFS' SECOND SET
OF INTERROGATORIES TO
DEFENDANT
JOHN N. MITCHELL

To: Mr. John N. Mitchell
c/o Edw. S. Christenbury, Esq.
Civil Litigation Unit
U. S. Department of Justice
Washington, D. C.

The plaintiffs request that the defendant, John N. Mitchell, answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the within Interrogatories, in the space provided; if such space is inadequate, please answer the Interrogatories on additional pages.

PLEASE TAKE NOTICE that a copy of such answers must be served upon the undersigned within the time prescribed by law.

1. What are the names and current addresses of the officials to whom the FBI agents installing and monitoring the surveillances listed in Appendix A of Defendants' Response to Interrogatories Propounded by the Plaintiffs reported with respect to such surveillances?

2. For each official receiving reports at any time from the installers of the electronic surveillances referred to in Question One of these Interrogatories, what were the specific dates during which such official received such reports?

3. What are the names and current addresses of any officials having had any supervisory authority over the electronic surveillances referred to in Question One and what are the specific dates during which such supervisory positions were held with respect to each supervisory official?

4. What was the official hierarchical position held by each official within the FBI or Justice Department named in response to Questions One and Three of these Interrogatories?

5. What was the scope of the supervisory authority exercised by each official within the FBI or Justice Department named in response to Questions One and Three of these Interrogatories?

6. What are the names, current addresses, and official governmental positions, if any, of any and all persons to whom any of the contents of the electronic surveillances referred to in Question One of these Interrogatories were revealed?

7. What are the current addresses of the following present or former employees of the FBI or the Department of Justice:

- a) ^{CD} William Brennan
- b) Mark Felt
- c) William Sullivan

8. What are the names and current addresses of all persons who at any time attended meetings of the Intelligence Evaluation Committee? What governmental agency did each person represent? What dates did each person attend such meetings?

Morton Stavis *ch*

WILLIAM J. BENDER
MORTON STAVIS
c/o Constitutional Litigation Clinic
175 University Avenue
Conklin Hall
Newark, New Jersey 07102
201-648-5687

ATTORNEYS FOR PLAINTIFFS

Dated:

April 9, 1975

CERTIFICATION

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

JOHN N. MITCHELL

Dated:

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
JERRY C. RUBIN

Appendix A

Answer to Interrogatory No. 1

1.a. Yes

1.b. No

1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. See answer to interrogatory number one above.

2.b. and c. Plaintiff Jerry C. Rubin was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

- ✓ 1. W.E.B. DuBois Clubs of America, 5935 Grove Street, Oakland, California; microphone surveillance; 10/25/64.
- ✓ 2. Mortimer Harvey Scheer, 2629 Acton Road, Berkeley, California; telephone surveillance on number 845-7574; 4/23/65.
3. A telephone surveillance of an individual, organization or location, the identity of which is the subject of a claim of Executive privilege by the Attorney General; 5/19/65.
- ✓ 4. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone

✓
6 Nancy Darrett Frappier 670 Ensenada Avenue,
Berkeley, California; telephone surveillance
on number 527-1816; 3/15/71.

2.d.(i) Surveillance number one above was approved by
Clyde A. Tolson, Associate Director of the Federal
Bureau of Investigation under Departmental practice
in effect at that time; surveillance number two above
was authorized by Attorney General Nicholas deB.
Katzenbach; surveillance number three above was
authorized by Attorney General Francis Biddle;
surveillances four, five and six above were author-
ized by Attorney General John N. Mitchell.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph
2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. Yes; such entry was not with the consent of the
occupants, residents or lessees of such premises.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
FOR DAVID DELLINGER

Answer to Interrogatory No. 1

- 1.a. Yes
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. See answer to interrogatory number one above.

2.b. and c. Plaintiff David Dellinger was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

- ✓ 1. Students for a Democratic Society, 1103 East 63rd Street, Chicago, Illinois; telephone surveillance on number 667-6050; 10/15/65.
- ✓ 2. Bayard Rustin, Apartment 9J, 340 West 28th Street, New York, New York; telephone surveillance on number YU-9-9890; 6/23/64.
- ✓ 3. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 4/19/69.
- ✓ 4. Students for a Democratic Society, 1608 West Madison Street, Chicago, Illinois; telephone surveillance on numbers 666-3874 and 666-3875;

✓ 5. Black Panther Party, 2026 Seventh Avenue,
New York, New York; telephone surveillance
on numbers 666-3603, 864-8951; 7/2/69,
9/16/71.

6. A surveillance of an individual, organization
or location, the identity of which is the
subject of a claim of Executive privilege by
the Attorney General; 4/4/71, 4/7/71.

✓ 7. Black Panther Party, 1370 Boston Road, Bronx,
New York; telephone surveillance on numbers
328-2828, 328-9009, 328-9911; 6/25/70.

2.d.(i) Surveillance number one above was authorized by
Attorney General Nicholas deB. Katzenbach; sur-
veillance number two above was authorized by
Attorney General Robert F. Kennedy; surveillances
numbered three, four, five, six and seven above
were authorized by Attorney General John N.
Mitchell.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph
2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. No.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
ABBOTT H. HOFFMAN

Answer to Interrogatory No. 1

- 1.a. Yes
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

- 2.a. See answer to interrogatory number one above.
- 2.b. and c. Plaintiff Abbott H. Hoffman was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:
 - ✓ 1. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 6/10/69, 6/11/69, 7/9/69.
 - ✓ 2. Students for a Democratic Society, 1608 West Madison Street, Chicago, Illinois; telephone surveillance on numbers 666-3874, 666-3875; 7/16/69.
 - ✓ 3. Howard Joel Emmer, 2915 Ludlow Road, Cleveland, Ohio; telephone surveillance on numbers 752-1874, 752-8944; 11/20/70, 11/27/70.
 - ✓ 4. Nancy Sarah Kurshan, 718 Stow Street, Kent, Ohio; telephone surveillance on number 673-3708; 4/13/70.

2.d.(i) Surveillances number one, two, three and four above were authorized by Attorney General John N. Mitchell.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph 2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. No.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 28 THROUGH 29
FOR THE BLACK PANTHER PARTY

Answer to Interrogatory No. 1

1.a. No

1.b. Yes

1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. See answer to interrogatory number one above.

2.b. and c. Plaintiff Black Panther Party was the subject of the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

✓ 1. Black Panther Party, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 2/26/69 to 6/11/70. Telephone numbers 845-0103, 845-0104, 845-0773 were listed in the name of Marilyn H. Moorehead and telephone number 848-6705 was listed in the name of Charles Bursey.

✓ 2. Black Panther Party, 1046 Peralta Street, Oakland, California, telephone surveillance on numbers 465-5047, 465-5048, 465-5049; 6/11/70 to 5/23/72. The above telephones were listed

THE NAME OF ROBERTA GRANT AND CLARENCE PERRY

- ✓ 4. Black Panther Party, 8505 East 14th Street, Oakland, California; telephone surveillance on numbers 636-1986, 636-1987, 636-1988, 636-1989; 6/5/72 to 6/19/72. The above telephones were listed in the name of Marilyn Moorehead Peace and Freedom Party.
- ✓ 5. Black Panther Party, 1336 1/2 Fillmore Street, San Francisco, California; telephone surveillance on numbers 922-0095, 922-6322, 922-6415; 5/27/69 to 6/3/71 and from 6/24/71 to 9/23/71. Telephone number 922-6322 is listed in the name of Sam Napier. The subscriber of the other numbers is not known.
- ✓ 6. Black Panther Party, Apartment 25A, 1200 Lakeshore Drive, Oakland, California; telephone surveillance on numbers 465-9592, 763-0202, 763-0203, 763-1919; 12/18/70 to 6/19/72. Telephone number 465-9592 was listed to David Lubell. Telephone numbers 763-1919, 763-0203, 763-0202 was listed to Stronghold Consolidated Productions Incorporated.
- ✓ 7. Black Panther Party, Apartment 25A, 1200 Lakeshore Drive, Oakland, California; microphone surveillance; 12/22/70 to 2/19/72 and from 2/26/72 to 6/19/72.
- ✓ 8. Black Panther Party, 2026 Seventh Avenue, New York, New York; telephone surveillance on numbers 666-3603, 864-8951. 4/7/69 to 12/5/70 and from

9. Black Panther Party, 1370 Boston Road, Bronx,

New York; telephone surveillance on numbers 328-2828, 328-9009, 328-9911; 1/21/70 to 4/12/71.

The above telephones were listed in the name of the Black Panther Party.

10. Black Panther Party, 12 West 127th Street, New York, New York; microphone surveillance; 4/22/70 to 5/25/70.

11. Black Panther Party, 402 East 10th Street, New York, New York; telephone surveillance on number 228-7209; 5/29/71 to 6/23/71. The above telephone was listed in the name of Marie Ann Depury.

12. Black Panther Party, 1248 North Gay Street, Baltimore, Maryland; telephone surveillance on number 342-8536; 10/5/70 to 11/21/70. The above telephone was listed in the name of C. L. Jackson.

13. Black Panther Party, 567 Mosher Street, Baltimore, Maryland; telephone surveillance on number 523-9010; 12/14/70 to 12/24/70, and from 12/26/70 to 12/31/70, and from 1/2/71 to 2/10/71. The above telephone was listed in the name of David Lawrence.

14. Black Panther Party, 21-23 Winthrop Street, Roxbury, Massachusetts; telephone surveillance on numbers 442-0100, 442-0101, 442-7396; 10/19/70 to 3/19/71. Telephone numbers 442-0100 and 442-0101 were listed in the name of the Black Panther

✓ 15. Black Panther Party, 2312 East 79th Street,

Cleveland, Ohio; telephone on numbers 881-5054,
881-5055, 881-5056; 11/16/70 to 12/17/70. The
above telephones were listed in the name of the
National Committee to Combat Fascism-Black Panther
Party.

✓ 16. Black Panther Party, 9049 Oakland Street, Detroit,
Michigan; telephone surveillance on number ⁸⁷³ ~~897~~-

²⁵⁵⁰ 3610; 5/14/69 to 6/1/69. The above telephone
was listed in the name of the Black Arts Develop-
ment Center.

✓ 17. Black Panther Party, 8417 12th Street, Detroit,
Michigan; telephone surveillance on number ⁸⁹⁷⁻³⁶¹⁰ ~~868~~-

~~9836~~ 6/16/69 to 6/16/69. The above telephone
was listed in the name of the Black Panther Party.

✓ 18. Black Panther Party, 2219 Indiandale Street,
Detroit, Michigan; telephone surveillance on
number 868-9836; 5/7/70 to 6/2/70 and from 8/6/70
to 10/15/70. The above telephone was listed in
the name of the Black Panther Party. National

Committee to Combat Fascism.

✓ 19. Black Panther Party, 2350 West Madison Street,
Chicago, Illinois; telephone surveillance on
numbers 243-8276, 738-0778, 738-0779; 5/14/69
to 3/1/72. The surveillance was not conducted
on 11/27/69, 12/25/69, 1/1/70, 12/25/70, 1/1/71,

20.

Black Panther Party, 4113 South Indiana Avenue,

Chicago, Illinois; telephone surveillance on numbers 924-6575, 924-6576; 12/21/70 to 3/1/72.

No surveillance was conducted on 12/25/70, 1/1/71, 11/25/71, 12/25/71, 1/1/72. The above telephones were listed in the name of Alphonso Massey.

21. Black Panther Party, 4115 South Central Avenue, Los Angeles, California; telephone surveillance

on numbers 235-4127, 235-4128, 235-4127, 235-5866;

4/15/69 to 2/3/70. The above telephones were listed in the name of the Black Panther Party.

22. Black Panther Party, 2728 Ellendale Place, Apt. 3,

Los Angeles, California; telephone surveillance

on number 734-0280; 10/21/69 to 11/12/69. The

above telephone was listed in the name of Evon Carter.

23. Black Panther Party, 9818 Anzac, Los Angeles, California; telephone surveillance on numbers

567-8027, 569-5902; 2/10/70 to 2/26/70. Telephone

number 567-8027 was listed in the name of Gwen Goodloe and number 569-5902 was listed in the

name of Robert Steve Tommy Community Center.

24. Black Panther Party, 2043 East Stockwell, Los Angeles, California; telephone surveillance on numbers 635-

2586, 635-2559, 635-9882, 636-1763, 636-1764;

3/12/70 to 2/28/72. The above telephones were

Black Panther Party.

25. ✓ Black Panther Party, 334 West 55th Street.

Los Angeles, California; telephone surveillance on number 759-4518; 9/10/70 to 12/14/70. The above telephone was listed in the name of Gwen Goodloe.

✓ 26. Black Panther Party, 2136 East 113th Street,

Los Angeles, California; telephone surveillance on number 564-2728; 12/4/70 to 2/6/71. The above telephone was listed in the name of Dorothy Phillips.

✓ 27. Black Panther Party, 731 East 78th Street,

Los Angeles, California; telephone surveillance on number 750-5509; 2/4/71 to 2/28/72. The above telephone was listed in the name of Paul Cross.

✓ 28. Black Panther Party, 5321 Staunton, Los Angeles,

California; telephone surveillance on number

585-1448; 2/25/71 to 2/28/72. The above telephone was listed in the name of Norma Armour.

✓ 29. Black Panther Party, 35 Sylvan Avenue, New Haven,

Connecticut; telephone surveillance on numbers

562-7463, 562-8557; 1/15/70 to 4/9/71. The above telephones were listed in the name of James E. Wilson.

✓ 30. Black Panther Party, 259 Dixwell Avenue, New Haven,

Connecticut; telephone surveillance on numbers

562-7463, 562-8557, 787-2949; 4/9/71 to 4/28/71.

The above telephones were listed in the name of

31. Black Panther Party, 2039 Columbia Avenue,
Philadelphia, Pennsylvania; telephone surveil-
lance on number CE. 5-7203, CE. 5-7525,
CE. 5-7526; 7/13/70 to 7/14/70 and from 9/28/70
to 11/10/70. The above telephones were listed
in the name of the Black Panther Party.

32. Black Panther Party, 3626 Wallace Street,
Philadelphia, Pennsylvania; telephone surveil-
lance on numbers BA. 2-0855, EV. 7-2867,
EV. 7-2868; 8/25/70 to 9/28/70 and from 11/23/70
to 1/11/71 and from 1/16/71 to 2/10/71. The
above telephones were listed in the name of the
Black Panther Party.

33. Black Panther Party, 2941 35th Street, Sacramento,
California; telephone surveillance on numbers
457-9831, 457-9991; 7/14/69 to 9/8/69. The above
telephones were listed in the name of the Black
Panther Party.

34. Black Panther Party, 2327 18th Street, N.W.,
Washington, D. C.; telephone surveillance on
numbers 265-4418, 265-4419, 462-9379; 6/10/70 to
2/1/71 and from 4/19/71 to 6/25/71. As of
January 18, 1971, the telephone service at the
above address was listed in the name of the
Black Panther Party Ministry of Information.

462-9360; 7/30/70 to 2/1/71 and from 4/12/71 to 6/25/71. As of December 22, 1970 the telephone service at the above address was listed in the name of the Black Panther Party Community Information Center.

2.d.(i) Surveillances number one, two, three, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, and thirty-five above were initially authorized by Attorney General John N. Mitchell. Surveillance number four above was authorized by Attorney General Richard G. Kleindienst.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph

2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. Yes; such entry was not with the consent of the occupants, residents or lessees of such premises.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2
FOR THE SOUTHERN CONFERENCE EDUCATIONAL FUND

Answer to Interrogatory No. 1

1.a. No

1.b. No

1.c. See accompanying motion.

Answer to Interrogatory No. 2

2.a. - 2.i. See answer to interrogatory number one above.

ANSWER TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2 FOR THE
WAR RESISTERS LEAGUE

Answer to Interrogatory No. 1

- 1.a. No
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

- 2.a. - 2.i. See answer to interrogatory number one above.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2 FOR THE
CATHOLIC PEACE FELLOWSHIP

Answer to Interrogatory No. 1

1.a. No

1.b. No.

1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. - 2.i. See answer to interrogatory number one above.

DIRECTOR, FBI (176-1410)
(ATTN: INTELLIGENCE DIVISION)

5/12/75

SAC, CHICAGO (176-5) (P)

DAVID TYRE DELLINGER, aka
ET AL
COC

OO: Chicago

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/13/81 BY SP5 RJG/DE 315820
2-9-93 1068 DCM/SC

Re Bureau letter dated 10/30/74 and WFO airtel dated 3/24/75, both under above caption.

As the Bureau is aware from above referenced WFO communication and various media accounts, the United States Supreme Court has disposed of the defendants petition for a writ of certiorari in connection with the contempt citations arising from the original conspiracy seven trial. It would appear therefore that this matter has reached its final conclusion.

Consequently, Chicago is renewing its request in letter dated October 8, 1974, this caption, to destroy and/or re-use the recordings of public appearances of WILLIAM KUNSTLER and the other three defendants, (DELLINGER, RUBIN and HOFFMAN), maintained due to the pending litigation which is now concluded.

In the event Bureau authority for above is received, Chicago will review appropriate records regarding these recordings and advise all other offices similarly retaining such material.

3 - Bureau (RM)
(1 - 62-112989)
2 - Chicago
(1 - 62-7126)

62-112989
NOT RECORDED

47 JUN 2 1975

JCS/lao

JUN 5 1975

ORIGINAL FILED IN 176-1410-3746

10-27-71

FEDERAL BUREAU OF INVESTIGATION

Transmitted by Facsimile - PLAIN COMMUNICATIONS SECTION

Priority

Immediate

To:

DIRECTOR, FBI (67-11484) MAY 06 1975

From:

SAC, BOSTON (67-544)

TELETYPE

Date:

5/6/75

Time Transmitted -

Subject:

David T. DeHinger

Received -

☐ Fingerprint Photo

☐ Fingerprint Record

☐ Map

☐ Newspaper clipping

☐ Photograph

☐ Artists Conception

☐ Other

LHM

☐ (5 min)

☐ (4 min)

Special handling instructions:

HAND DELIVER IMMEDIATELY TO
SUPER [REDACTED] LOCAL COUNSEL

b6
b7C

DIVISION

ENCLOSURE

36N/ [Signature]
Approved:

REC 862-112-989-351

12 JUN 2 1975

See memo to
AA G. [Signature]
5/21/75
Gmt. [Signature]

[Signature] [Signature] [Signature]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/12 BY 45 [Signature]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-112989) DATE: 4/29/75

FROM : *RJB* SAC, PHILADELPHIA (157-2004) (P)

SUBJECT: DAVID DELLINGER, ET AL V.
JOHN N. MITCHELL, ET AL (U.S.D.C.
D. C.) CIVIL ACTION NO. 1765-69
BUDED 4/30/75

per 323
Re Bureau airtel to Philadelphia dated 4/24/75.

Enclosed for the Bureau are eight copies of an LHM dated and captioned as above.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 LJP 315820
2/25/93 9803 RDD/SC

ST-103

REC-25

62-112989-337

- 2 - Bureau (62-112989) (Encls. 8) (RM)
1 - Philadelphia (157-2004)

22 5.22
APR 20 1975

CAT/kgg
(3)



5010-110

162

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

58 JUN 6 1975

*See memo AMG, Bureau dated
5/20/75 Gmt. mllb*

*Cc LHM
from Dept att
Smith
5/5/75
JMP*

*3rd
ENCLOSURE*

EX-100-100000

14

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Philadelphia, Pennsylvania 19106

April 29, 1975

DAVID DELLINGER, ET AL V.
JOHN N. MITCHELL, ET AL
(U.S.D.C., D.C.) CIVIL ACTION
NO. 1765-69

At the time of the installation and monitoring
of [REDACTED]

[REDACTED] the official in charge
was Special Agent in Charge Joe David Jamieson. He is now
retired. His last address was care of FBI Academy, Quantico,
Virginia.

Records failed to reflect the date Special Agent in
Charge Jamieson learned of the installation of the surveillances.

The dates of the communication to the Director, FBI
when the Philadelphia Division informed the Director of the
installation for each surveillance are [REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY [REDACTED]

2-9-93

1048 DKM/80
315820

62-112989-331

This document contains neither recommendations nor conclusions
of the FBI. It is the property of the FBI and is loaned to your
agency; it and its contents are not to be distributed outside
your agency.

ENCLOSURE

b3

NR 013 SF PLAIN

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Off. Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

5:10PM NITEL MAY 20, 1975 KCK

TO: DIRECTOR (62-112989)

MAY 20 1975

FROM: SAN FRANCISCO (66-672B)

TELETYPE

ATTN: LEGAL SECTION

DAVID T. DELLINGER, ET AL VS. ATTORNEY GENERAL JOHN N. MITCHELL
ET AL; ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS.

AT PRESENT THE ONLY PERSON REVIEWING BLACK PANTHER PARTY
FILES AT SAN FRANCISCO IS [REDACTED] HE HAS REVIEWED
THESE FILES ON MAY 14, 15, AND 19, 1975. HE IS TO RETURN ON
MAY 21 FOR FURTHER REVIEW. INASMUCH AS HIS REVIEW OF THESE
FILES IS EXTREMELY SLOW, IT IS REQUESTED THAT BUREAU PERMISSION
BE GIVEN TO HAVE A SPECIAL EMPLOYEE OR CLERK ^{BY} WITH HIM DURING
HIS FILE REVIEW. IT IS FELT THAT THE AGENT PERSONNEL TIME IS
NOT NEEDED OR JUSTIFIED, INASMUCH AS THE MECHANICS OF THIS
OPERATION HAVE BEEN SET UP. IT IS POINTED OUT THAT THE DUTY
AGENT IS NEXT DOOR TO THE OFFICE WHERE THE FILES ARE BEING
REVIEWED AND IS IMMEDIATELY AVAILABLE IF ANY QUESTION ARISES.
CURRENTLY THE ONLY REASON FOR THE PRESENCE OF AN AGENT IS TO
INSURE THAT HE DOES NOT TAKE ANY PAGES OUT OF THE VOLUMES
CONTAINING THE LOGS.

b6
b7C

END

HOLD

REC 98

EX 103

62-112989-338

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY [signature]

JUN 5 1975

LEGAL COUNSEL

Date of Mail 9/25/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 Jig/SP
2-9-93 1048 DKM/KSC
315820

Subject JUNE MAIL DAVID DELLINGER

Removed By 79 OCT 7 1975

File Number 62-112989-339

793
Permanent Serial Charge Out

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

MAILED 6

AUG 26 1975

FBI

DATE 1/4/82 BY 2-9-03

Assistant Attorney General
Criminal Division

August 26, 1975

Director, FBI

[REC-30]

62-112989-340

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)

CIVIL ACTION NO. 1768-69

1 - Mr. Wannall

1 - [Redacted]

2 - Mr. Mintz

1 - [Redacted]

b6
b7C

By memorandum dated August 11, 1975, you furnished copies of plaintiffs' Third Set of Interrogatories Addressed to Defendants as well as Rule 34 Requests directed to defendants and requested that information necessary for the preparation of the Government's response be made available to you prior to August 28, 1975.

Review of the Third Set of Interrogatories Addressed to Defendants fails to reveal that any of the items therein are directed to the FBI. Review of the Rule 34 Requests reveals that items 2c, 2d, 4c, 10, 12a, 13 and 14 are directed to the FBI.

2c. Memorandum dated January 27, 1971, from the Director, FBI, to the Assistant Attorney General, Internal Security Division, captioned "Intelligence Evaluation Committee," which memorandum is classified "Secret," does not appear to be relevant to the issues in this civil suit. Accordingly, we request that you resist discovery of this document.

2d. Review of the FBI files reveals two memoranda dated February 3, 1971, from the Director, FBI, to the Assistant Attorney General, Internal Security Division, captioned "Intelligence Evaluation Committee." One document is classified "Confidential"; the second is classified "Secret." Neither document appears relevant to the issues in this civil action. Accordingly, we request that you resist discovery of both documents.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

GML:kiw
(10)

(See NOTE, Last Page.)

MAIL ROOM ☐

TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Assistant Attorney General
Criminal Division

4c. Review of appropriate FBI files fails to reveal a memorandum dated May 17, 1971, from the Director, FBI, to the Attorney General "the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases."

10. The material requested herein was furnished to you by memorandum dated July 14, 1975, captioned "Morton H. Halperin, et al., v. Henry A. Kissinger, et al. (D.D.C.) Civil Action File No. 1187-73."

12a. No forms are used by this Bureau to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants. As you are aware, requests of this nature come to us from the Department of Justice. This Bureau responds to the Department's request by memorandum, detailing the results of the electronic surveillance check.

13. On August 15, 1975, Mr. Smith of your office noted that plaintiffs have requested a substantial number of documents in this item and stated that the Department would obtain a delay concerning this matter. Documents requested herein will be furnished to you prior to October 1, 1975.

14. In this item, plaintiffs request the FBI Handbook for Special Agents. For your information, this Handbook is a summary of and contains citations to the FBI Manual of Rules and Regulations and the FBI Manual of Instructions. A copy of the FBI Handbook is issued to each Special Agent of the FBI, and its contents are to be held in confidence by our employees. Disclosure of this Handbook would reveal FBI techniques and procedures and

Assistant Attorney General
Criminal Division

thus adversely affect our ability to function effectively, thereby causing substantial damage to the public interest. To require the FBI to produce this document would be "comparable to requiring one football team to give its 'play-book' to the opposing team before the game." Cuneo v. Laird, 338 F. Supp. 504, 506 (D.D.C. 1974). On the other hand, plaintiffs have failed to show any good cause for the production of this document; nor have they shown its relevancy to the issues in this civil action. Accordingly, we request that you resist discovery of this item.

NOTE: Based on Legal Counsel memorandum to Mr. J. B. Adams dated 8/19/75 and R. L. McCarthy to Mr. Cleveland memorandum dated 8/20/75. Responses to items 2c, 2d and 4c, Rule 34 Requests, were coordinated with T. H. Howard, Intelligence Division. On 8/21/75, Jonathan B. Smith, Departmental Attorney handling this civil action, advised that it would be unnecessary for this Bureau to furnish to the Department copies of documents requested by plaintiffs in items 2c, 2d and 4c, Rule 34 Requests.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

b6
b7C

TO : Mr. Cleveland

FROM : R. J. McCarthy

SUBJECT: DAVID DELLINGER, et al v.
JOHN N. MITCHELL, et al
(D.D.C.)
CIVIL ACTION NO. 1768-69

DATE: 8/20/75

Reference memorandum of Legal Counsel to Mr. J. B. Adams dated August 19, 1975, captioned as above.

In reference to request for information, oral documents responsive to Item 12a., Rule 34 requests, it is pointed out that no forms are used by the FBI to respond to request for disclosure of information concerning electronic surveillance of criminal defendants. Requests of this nature originate from the Justice Department and response is in letter form detailing the results of the search of electronic surveillance indices.

EX 103

REC-30

SEP 11 1975

2-9-93 10482 D/cm/JP
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY p/s jg/vp

- 1 - Mr. Wannall
- 1 - Mr. Mintz
- 1 - [Redacted]
- 1 - [Redacted]
- 1 - [Redacted]
- 1 - [Redacted]
- 1 - [Redacted]

JLS:bam
(7)

Force 5640
Memo to AAG, Crim. Div.
8/26/75; GUL. pwr. 9-11-75

b6
b7C

F B I

Date: 9/19/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL
(Priority)

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Adm.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO: DIRECTOR FBI (62-112989)

FROM: *curry* SAC SAN FRANCISCO (66-672B)

RE: *W* DAVID DELLINGER
ET AL
vs. JOHN N. MITCHELL, ET AL
(USDC..D.C.)
CIVIL ACTION # 1768-69

[redacted] who represented herself as a member of the staff of [redacted] office, telephonically contacted the writer this date and stated that she was interested in knowing the status of authorization for [redacted] to be able to assist [redacted] office in reviewing Black Panther Party (BPP) logs in the office of the FBI. She was asked who [redacted] was and she stated that [redacted] was an investigative researcher for [redacted] office.

[redacted] was told that the FBI at San Francisco had no knowledge of the status concerning authorization for [redacted] to review such records.

It should be noted by the Bureau that [redacted] is probably identical to [redacted]

This information is being furnished for information of the Bureau should they receive inquiries from the Department or the court concerning this matter.

REC-48

62-112989-341

cc 5640

5 SEP 30

- ② - Bureau (RM)
2 - San Francisco
(1 - 157-4592)

HWL/sdc (S-2)

5 OCT 14 1975

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED 2/9/93

DATE 1-4-82 BY sp5 jlp/1048 DCM/SP3/S820

b6
b7C

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al., U.S.D.C.,
(D.D.C.) CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp 5 rjg/rjg

Assoc. Dir. _____
Dep. AD-Adm. _____
Dep. AD-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

In this civil action, brought by organizational as well as individual plaintiffs, illegal wiretapping is alleged, and plaintiffs seek money damages. In the course of discovery, the Department produced copies of authorizations signed by the Attorney General, certain Departmental policy memoranda relating to national security electronic surveillances, and certain internal Bureau memoranda relating to the electronic surveillances of the W.E.B. DuBois Clubs of America, the Black Panther Party (BPP), the White Panther Party, Students for a Democratic Society, [redacted] Bayard Rustin, [redacted] and Nathan Schwerner.

On 9/12/75, Jonathan B. Smith, Departmental Attorney handling this case, advised the Department desires to serve interrogatories in this matter on plaintiff BPP as well as the following individual plaintiffs: [redacted] David Dellinger, [redacted] Jerry Clyde Rubin, Abbot H. Hoffman, [redacted] and [redacted] Smith requested that the Bureau draft suggested interrogatories to direct to the above plaintiffs. The interrogatories should be written so that responses will reveal information to justify the FBI's internal security investigations on the above plaintiffs, i.e., information concerning foreign travel as well as unlawful goals and activities.

- 1 - Mr. Wannall
- 2 - Mr. Mintz
- 1 - [redacted]

GML/jcr

CONTINUED - OVER
5 SEP 30 1975

~~CONFIDENTIAL~~

57 OCT 3 1 1975

CLASS. BY sp 5 rjg/rjg
REASON-FRM II, 1-2.4.2
DATE OF REVIEW 9-17-93
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

Rec'd
used
9/19/75
Handled
per memo
WNP, 9/29/75

55

T. J. Hall
(rec'd by GTT
10/29/75)

LEGAL COUNSEL

~~CONFIDENTIAL~~

Memo to Mr. Adams

RE: DAVID DELLINGER, et al., v.

JOHN N. MITCHELL

(D.D.C.) CIVIL ACTION NO. 1768-69

RECOMMENDATION:

1. That the Intelligence Division furnish Legal Counsel Division factual information concerning the revolutionary goals and activities of the above listed plaintiffs.

2. That Legal Counsel Division draft appropriate interrogatories concerning the named plaintiffs and correspond with the Department.

WRW/SGP



~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. ☒ _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 8/19/75

FROM : Legal Counsel *gmp*

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)
CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY *msj/wh 3-5820*
2-9-93 *1045 Dkm/SC*

In this civil action certain of the plaintiffs were incidentally overheard as the result of national security electronic surveillances, and they seek money damages. By memorandum dated 8/11/75, the Assistant Attorney General, Criminal Division, furnished copies of plaintiffs' Third Set of Interrogatories Addressed to Defendants as well as Rule 34 Requests directed to defendants. (Rule 34 of the Federal Rules of Civil Procedure pertains to Discovery and Production of Documents and Things for Inspection, Copying, or Photographing.) The Assistant Attorney General, Criminal Division, requested that information and documents contained in Bureau files necessary for the preparation of the Government's response be made available to the Department prior to 8/28/75.

Review of the Rule 34 Requests reveals that the following are requested from the FBI:

2.c. "Memorandum dated January 27, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General, Internal Security Division, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee."

Enc.
62-112989
136-1410

6- ENCLOSURE

- 1 - Mr. Wannall
- 1 - [redacted]
- 2 - Mr. Mintz
- 1 - [redacted]

EX-106

GML:1sh

(7)

gmp
34/8/75

56



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FIVE

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

2.d. "Memorandum dated February 3, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General, Internal Security Division, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee."

4.c. "Memorandum dated May 17, 1971 from the Director, Federal Bureau of Investigation, to Attorney General Mitchell, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases."

10. "Manual or other material or memoranda describing the system employed by the F.B.I. for the indexing and retrieval of electronic surveillance data."

12.a. "Any and all forms used by the F.B.I. to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants."

13. "With respect to each of the requests for authorization and/or reauthorization of warrantless electronic surveillance (emanating from the Director of the F.B.I. to the Attorney General) heretofore made available to the plaintiffs by earlier discovery in this case, copies of any and all memoranda or documents within the F.B.I. which preceded and/or which were the basis for the request of the Director of the F.B.I. to the Attorney General for such authorization or reauthorization."

14. "A training and/or operations manual entitled Handbook for Special Agents, pertaining, among other things, to the preparation of F.B.I. reports referred to by John A. Mintz in testimony of May 8, 1975."

Review of the Third Set of Interrogatories Addressed to Defendants fails to reveal that any of the items therein are directed to the FBI.

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

The material requested in item 10 was furnished to the Assistant Attorney General, Criminal Division, by memorandum dated 7/14/75, as a result of a discovery request in a civil action titled Morton H. Halperin, et al. v. Henry A. Kissinger, et al. (D.D.C.) Civil Action No. 1187-73. Jonathan B. Smith, Departmental Attorney handling this civil action, has been informed that information responsive to item 10 was furnished to the Department via the above memorandum. The effort to obtain the FBI Handbook for Special Agents, requested in item 14, will be resisted; Legal Counsel Division will furnish to the Department reasons for objecting to production of the above.

On 8/15/75, Mr. Smith was informed that plaintiffs have requested a substantial number of documents in item 13, Rule 34 Requests, and that it will take a great deal of time and effort to locate these documents. Smith acknowledged that it would be unreasonable to require the Bureau to furnish the above within a short period of time and indicated that the Department would obtain a delay regarding this item. He requested that the Bureau furnish documents requested in item 13 no later than 10/1/75.

Mr. Smith requested that the Department be furnished two copies of each document now being requested by plaintiffs in this civil action. One copy should be a true, unexcised copy as it appears in Bureau files. The second copy should have deleted from it both administrative and privileged material. Concerning deletions in the documents, the Bureau should follow the guidelines developed by Departmental and Bureau officials on 1/30/75. One copy of Legal Counsel memorandum to Mr. J. B. Adams dated 2/10/75, wherein these guidelines are set forth, is attached.

Also attached is a list of authorizations for electronic surveillance that has been furnished to plaintiffs in this civil action. In addition, attached are three requests for authorization for electronic

Memorandum to Mr. J. B. Adams

Ré: David Dellinger, et al., v.

John N. Mitchell, et al., etc.

surveillance furnished to plaintiffs that were not approved (these are dated 5/13/68, 7/8/71, and 11/8/68) as well as a list of FD-142's and FD-143's (FBI documents which preceded and/or which were the basis for electronic surveillance requests) previously furnished to plaintiffs.

RECOMMENDATIONS:

1. That the Special Investigative Division, no later than 8/21/75, furnish information or documents responsive to item 12.a., Rule 34 Requests.

2. That the Intelligence Division, no later than 8/21/75, furnish appropriately excised documents responsive to items 2.c., 2.d., and 4.c.

3. That upon receipt of above, Legal Counsel Division correspond with the Department and furnish information or documents responsive to items 2.c., 2.d., 4.c., 10, 12.a., and 14, Rule 34 Requests.

4. That the Intelligence Division, no later than 9/21/75, furnish appropriately excised documents responsive to item 13, except for FD-142's and FD-143's previously furnished to plaintiffs.

CONTINUED - OVER

*Furnished
up Memorandum
dated 8/25/75
BMS*

*memo to
Crim. Div.
10/21/75 - GML:km*

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

5. That upon receipt of information from
the Intelligence Division, Legal Counsel Division
correspond with the Department.

JBT
per

W/C

WPAW
Hef

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY 20549 hp
2/9/93 1048 DKm/SC
315820

ENCLOSURE

Mr. J. B. Adams

2/10/75

Legal Counsel

SOCIALIST WORKERS PARTY, et al. v.
ATTORNEY GENERAL, et al.
(U. S. D. C., S. D. NEW YORK)
73 Civ 3160 TPG




ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

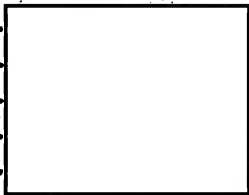
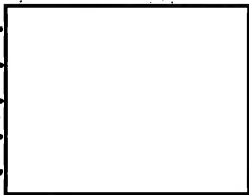
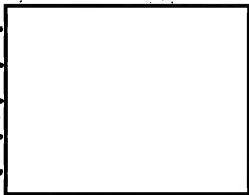
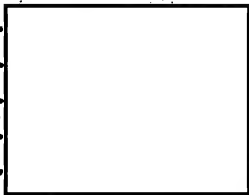
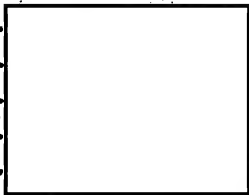
DATE 1-4-82 BY SP5 sjh/p
2/9/93 1048 BEM (80)

Plaintiffs, the Socialist Workers Party (SWP), its youth group the Young Socialist Alliance (YSA) and fifteen individual plaintiffs, filed captioned civil action during July, 1973, alleging that defendants, the FBI, and other Governmental agencies and officers, have denied them constitutional rights as a political party. They seek substantial damages as well as broad injunctive relief.

By letter dated 1/9/75, Paul J. Curran, U. S. Attorney, Southern District of New York, advised that on 1/7/75, the court in captioned civil action ordered us to produce "all files relating to everything gathered about the plaintiffs, including the results of surveillance conducted of the SWP or the YSA, and documents relating to the purpose of such surveillance."

By memorandum to Mr. J. B. Adams dated 1/23/75, Legal Counsel advised that as a result of contact with the Department, it would be necessary to release a number of Bureau documents concerning plaintiffs, including certain SWP Disruption Program documents. Legal Counsel Division then conferred with the Intelligence Division and made available guidelines for review of the SWP Disruption Program documents. Subsequent to the review by the Intelligence Division, Legal Counsel reviewed

1 - Mr. Adams
1 - Mr. Wannall
1 - 
1 - 
1 - 

1 - 
1 - 
1 - 
2 - 
1 - 

5236

b6
b7C

GML:msl
(12)

CONTINUED - OVER

Memorandum to Mr. J. B. Adams
Re: Socialist Workers Party, et al. v.
Attorney General, et al., etc.

the material and suggested that because the court order was so broad that additional documents would be required. To resolve the scope of discovery, a meeting was held on 1/30/75, in the office of Assistant Director Mintz. Present were Mr. Mintz; [redacted] Legal Counsel Division; Edward Christenbury, Deputy Chief, and Robert L. Keuch, Chief, Special Litigations Section, Criminal Division, Department of Justice [redacted] of the Intelligence Division.

b6
b7C

At this meeting it was agreed that it would be necessary to make available to plaintiffs all Bureau documents concerning the SWP Disruption Program except documents in the program pertaining to recommendations not implemented. Documents to be made available include preparatory or "backup" documents which led up to the approval of a Disruption Program recommendation, documents setting forth Bureau authority to implement a recommendation, periodic documents reflecting FBIHQ or field office analyses of the Program. References in the documents should be retained, but privileged material in them may be deleted. Specifically, the following deletions may be made.

Excise the identities of informants.

Excise information which, if released, by its very nature, would tend to identify an informant.

Excise T symbols where, in our judgment, they would tend to identify a source.

Excise the identities of individuals who have furnished information under either an express or implied promise of confidentiality. This also would include any information which would tend to identify these individuals.

Excise information which would tend to expose a confidential investigative technique.

Excise information of an administrative nature. This would include information such as file numbers, Agents', Supervisors', and

Memorandum to Mr. J. B. Adams
Re: Socialist Workers Party, et al. v.
Attorney General, et al., etc.

Bureau officials' names and initials, markings such as indexing symbols, copy counts, serial numbers, block stamps, date stamps, names identifying recipients of tickler copies, and other such information.

Excise classified information. Determine what information is classified and excise that information. Information from foreign intelligence sources is usually classified. If not, it should be excised also, for there is implied confidentiality.

Excise classification markings when the classified information is excised.

Excise information from other Federal agencies, for any determination on the release of such information should be made by the agency involved. If necessary, the Bureau will subsequently refer any requests for such information to the interested agencies.

As indicated above, documents in the Disruption Program pertaining to recommendations not implemented need not be produced to plaintiffs. However, it was agreed that if these documents contain information, except a mere reference, concerning a recommendation that was approved, that information in the document, but only that information, must be made available. Of course, any privileged material in that information may be deleted.

RECOMMENDATION:

None; for information.

b3

Document Number	Date	Requested by	Authorized by	tel/ mic	File(s)
--------------------	------	-----------------	------------------	-------------	---------

II. STUDENTS FOR A DEMOCRATIC SOCIETY (SDS)

A. 1103 East 63rd Street

*Auth-106 6/4/65 JEH

Ndek

tel

D

*file reflects
the backup
document, an FD 142,
was destroyed on 9/5/69
No reason given. RBD*

Document Number	Date	Requested by	Authorized by	tel/mic	File(s)
-----------------	------	--------------	---------------	---------	---------

VII. [REDACTED]

A. [REDACTED] (home)

*Auth-124	7/23/63	JEH	RFK	tel	I
Auth-125	5/27/65	JEH		tel	I
Auth-126	11/22/65	JEH		tel	I
Auth-127	5/20/66	JEH		tel	I

B. [REDACTED]

*Auth-124	7/23/63	JEH	RFK	tel	I
Auth-125	5/27/65	JEH		tel	I
Auth-126	11/22/65	JEH		tel	I

C. [REDACTED] (home)

Auth-126	11/22/65	JEH		tel	I
Auth-127	5/20/66	JEH		tel	I

D. [REDACTED]

Auth-127	5/20/66	JEH		tel	I
----------	---------	-----	--	-----	---

[REDACTED]

J b3
J b6
J b7C
J

IX. BAYARD RUSTIN (New York)

A. 340 West 28th Street

*Auth-132	10/31/63	JEH	RFK	tel	K
Auth-133	6/4/65	JEH		tel	K
Auth-134	11/26/65	JEH		tel	K

X. [REDACTED]

A. [REDACTED]

*Auth-135	12/1/64	JEH	NdeK	tel	L
Auth-136	7/20/65	JEH		tel	L
Auth-137	1/26/66	JEH		tel	L

b6
b7C

XI. [REDACTED]

A. [REDACTED]

*Auth-138	6/30/64	JEH	NdeK	tel	M
-----------	---------	-----	------	-----	---

INDEX 4

FD-142's AND FD-143's (to Bureau recommending authorization, continuation or discontinuance of electronic surveillances).

Document No.	Date	From	Subject	Auth	File(s)
-----------------	------	------	---------	------	---------

FD-1					
FD-2					
FD-3					
FD-4					
FD-5					
FD-6					
FD-7					
FD-8					
FD-9					
FD-10					
FD-11					
FD-12					
FD-13					
FD-14					
FD-15					
FD-16					
FD-17					
FD-18					
FD-19					
FD-20					
FD-21					
FD-22					
FD-23					

b3
b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

May 13, 1968

*Reviewed by AG
11/18/69*
MEMORANDUM FOR THE ATTORNEY GENERAL

RE: JERRY CLYDE RUBIN
SECURITY MATTER - COMMUNIST

Jerry Clyde Rubin traveled to communist Cuba in 1964 via Czechoslovakia in violation of a Government ban on travel to Cuba. Thereafter, he was the founder and served as cochairman of the Vietnam Day Committee, Berkeley, California, a vigorous sponsor of antiwar demonstrations and protest rallies between 1965 and 1967 in the San Francisco area. Demonstrations sponsored by this organization under the leadership of Rubin led to numerous arrests and injuries to demonstrators. Rubin, himself, was arrested in August, 1965, in a demonstration which virtually trapped General Maxwell D. Taylor in a hotel office.

Since this period, Rubin became the Project Director for the National Mobilization Committee to End the War in Vietnam in New York, New York. In this capacity, ~~he was the coordinator of demonstrations at the Pentagon and in Washington, D. C., October 20-22, 1967. These~~ activities also led to violence and mass arrests, including the arrest of Rubin for refusing to move from a restricted area.

In January, 1968, he was the founder and is now employed as a staff member of the Youth International Party, New York, New York. This group was reportedly organized to promote a "festival of life" demonstration at the National Democratic Convention in Chicago in August, 1968.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/9/93 BY 1048DKM/JC

~~SECRET~~

~~SECRET~~

~~Excluded from automatic
downgrading and
declassification~~

Com-1

~~SECRET~~

MEMORANDUM FOR THE ATTORNEY GENERAL

With little apparent effort or planning, this organization has already backed two impressive demonstrations. One of these, called a "yip-in," was held at Grand Central Station in New York City on a late Saturday night for the purpose of celebrating the coming of spring. Violence and mass arrests occurred and the demonstration developed antidraft and antiwar implications. This organization presently plans another demonstration for Macy's Department Store in New York City on June 8, 1968.

Rubin constitutes a danger to the national security as evidenced by revolutionary statements. On the occasion of a public speech June 26, 1965, he stated the following must be included as a part of the peace movement: "massive civil disobedience and picketing," "working in slum areas," "teach-ins against labor unions," and "we must consider treason--deliberate sabotage of the war machine." He ended the speech by stating members of the peace movement must be willing to "put their bodies on the line." Participating in a panel discussion on November 27, 1965, he said the power structure in the United States had to be changed and he wanted demonstrations and civil disobedience rather than liberal means.

Coverage of Rubin's activities at the headquarters of the Youth International Party has been established and efforts are currently being made to increase this coverage. It is to be noted that many of the Youth International Party followers are "hippie types" and such would normally include numerous students. It could reasonably be expected that many of Rubin's contacts and organizational efforts would be made at night from his residence telephone. For this reason, a telephone surveillance of his residence would afford vital information as to organizational plans and the identity of key organizers, which would not be otherwise obtained through coverage of his place of employment.

The history of this individual in the direction of demonstrations which lead to violence has been established. It is recognized that he is capable of creating, through such demonstrations, a major civil disturbance if complete coverage of his activities is not effected.

MEMORANDUM FOR THE ATTORNEY GENERAL

Accordingly, I recommend the installation of a telephone surveillance on the residence of Jerry Clyde Rubin at 13 East 3rd Street, New York, New York, or any address to which he may move in the future.

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

Approved _____

Date _____

November 8, 1968

~~Declassified~~
11/3/74

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: BLACK PANTHER PARTY
LOS ANGELES, CALIFORNIA

The Black Panther Party in Los Angeles, California, is an active chapter of the national Black Panther Party headquartered in Berkeley, California. The Black Panther Party is the most active black extremist group in the United States today. Its leaders envision this organization as one which will unite black people in revolutionary action against the United States Government. They have also preached hate and violence and have openly advocated the use of firearms and guerrilla warfare for attainment of their goals.

In addition to the constant physical threat to lives and property represented by members of the Black Panther Party, there is increasing evidence that they represent a threat to the internal security of the United States inasmuch as they have publicly revealed their solidarity with Cuban and Chinese-communist revolutionaries. Members of the Black Panther Party have recently traveled to Cuba and it has been announced that such travel will increase in the future. An informant who recently returned from Cuba reported that Cuban intelligence agents with whom he was in contact exhibited a keen interest in the Black Panther Party.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09/03 BY 1048 DKM/SPC

315822

MEMORANDUM FOR THE ATTORNEY GENERAL

The Black Panther Party in Los Angeles maintains its headquarters at 4115 South Central Avenue, Los Angeles, California. It is requested that authority be granted for a telephone surveillance at the headquarters at this address or at any other address to which the headquarters might move.

Very truly yours,

John Edgar Hoover
Director

APPROVED _____

DATE _____

UNITED STATES GOVERNMENT

Memorandum

TO

Mr. W. R. Wannall *WRW*

FROM

S. S. Mignosa *SSM*

SUBJECT:

DAVID DELLINGER, ET AL., V.
JOHN N. MITCHELL, ET AL.
(D.D.C.)
CIVIL ACTION NO. 1768-69

1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall

DATE: 9/23/75

1 -
1 -
1 -
1 - Mr. S. S. Mignosa

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection *AW* _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY *ap 5/19/82 10480 km/SC*

Captioned matter is a civil suit in which individual and organizational plaintiffs seek money damages based on allegedly illegal electronic surveillance overhears and direct coverage.

Memorandum Legal Counsel to J. B. Adams dated 8/19/75 advised of the receipt of plaintiffs' interrogatories requiring the production of certain documents and requesting that such documents, appropriately excised, be furnished by the appropriate FBIHQ Divisions.

Some of the requested documents were previously furnished to Legal Counsel. The last aspect to be handled by the Intelligence Division, the response to item #4, page 4 of the above-mentioned memorandum, concerns the furnishing of documents which constitute the basis for the various requests for authorization and reauthorization, by the Attorney General, of pertinent electronic surveillances involved in this case. There are attached Xerox copies of 151 documents, along with single copies of the excised versions of those documents, as requested by Legal Counsel.

RECOMMENDATIONS:

1. That upon approval, attached documents be furnished to Legal Counsel.

15 OCT 21 1975

2. That a memorandum to file be prepared, listing the above documents by file and serial number and enclosing a file copy of the excised version of each.

Sent 10/10/75 to Dept.
Enclosures - 302

62-112989

RJD:rbs

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/9/93 BY *008 DC m/SC*

56 DEC 10 1975

LEGAL COUNSEL

~~CONFIDENTIAL~~

October 10, 1975

Assistant Attorney General
Criminal Division

Director, FBI

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)
CIVIL ACTION NO. 1768-69

1 - Mr. Wannall

2 - Mr. Mintz

1 -

b6
b7C

By memorandum dated August 11, 1975, you furnished copies of plaintiffs' Third Set of Interrogatories Addressed to Defendants as well as Rule 34 Requests directed to defendants and requested that information and documents contained in Bureau files necessary for the preparation of the Government's response be furnished to the Department. By memorandum dated August 26, 1975, I furnished to you information concerning items directed to the FBI, except for documents requested in Item 13 of the Rule 34 Requests.

In Item 13, Rule 34 Requests, plaintiffs have requested, with respect to each authorization or reauthorization for warrantless electronic surveillance heretofore made available to plaintiffs, copies of all memoranda or documents which were the basis for the Director's request to the Attorney General for such authorizations or reauthorizations. On August 15, 1975, Jonathan B. Smith of your office noted that plaintiffs have requested a substantial number of documents in this Item and stated that the Department would obtain a delay concerning this matter. Mr. Smith requested that the Bureau furnish documents requested by plaintiffs in Item 13 no later than October 1, 1975.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

CLASS. & EXT. BY SP-9 STG/AB
REASON-FRIM II, 1-A, 2.2 (A)
DATE OF REVIEW 10/19/95
1-4-82

GML:KAW
(8)

~~CONFIDENTIAL~~

(See NOTE, Page2.)

MAIL ROOM ☐ TELETYPE UNIT ☐

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

Assistant Attorney General
Criminal Division

For your information, review of our files fails to reveal any documents which were the basis for the Director's request to the Attorney General for the electronic surveillances of the Black Panther Party, 3106 Shattuck Avenue, Berkeley, California, authorization dated March 28, 1969, [or the W.E.B. DuBois Clubs of America, 5935 Grove Street, Oakland, California, authorization dated August 1, 1964.] Review of our files further reveals that the document which was the basis for the Director's request to the Attorney General for the electronic surveillance of Students For A Democratic Society, 1103 East 63rd Street, Chicago, Illinois, authorization dated June 4, 1965, was destroyed on September 5, 1969. The file fails to reflect a reason for the destruction of this document.

Except for documents which were the basis for the above surveillances, two copies of each document requested by plaintiffs in Item 13 were furnished to Mr. Smith on September 29, 1975. One copy was a true, unexcised copy as it appears in Bureau files. The second copy had deleted from it administrative and privileged material.

NOTE: Based on Legal Counsel memorandum to Mr. J. B. Adams dated 8/19/75, S. S. Mignosa memorandum to Mr. W. R. Wannall dated 9/23/75, and information furnished orally on 9/23/75 by SA [redacted] Intelligence Division, to SA [redacted] Legal Counsel Division.

b6
b7C

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Director
Federal Bureau of Investigation
Attention: Office of Legal Counsel

DATE: August 11, 1975
RLT:RLK:ESC:JBSmith:mlh

FROM : *RLT*
Richard L. Thornburgh
Assistant Attorney General
SUBJECT: Criminal Division

David Dellinger, et al. v. John N. Mitchell, et al.
(D.D.C.) Civil Action No. 1768-69

27
Please find enclosed copies of plaintiffs' THIRD SET OF INTERROGATORIES ADDRESSED TO DEFENDANTS and Rule 34 REQUESTS, served upon this office by letter of July 29, 1975. The defendant's answer to these interrogatories and requests is due on August 28, 1975. Accordingly, it is requested that the information and documents contained in Bureau files necessary for the preparation of our response be made available to the Department in sufficient time that to allow filing of a response on that date. If disclosure of the requested information or documents is in your judgment objectionable, please so indicate in order that consideration may be given to interposing an appropriate objection.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *1-4-82* BY *SP5/19/77*

pe 5640
Memo to Mr. Adams
8/19/75
GML:plh

EX-106

REC-29

62-112989-345

10/29
AUG 12 1975

3 ENCLOSURE

62-112989

LEGAL COUNSEL



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FILE

b6
b7C

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,

Civil Action No. 1768-69

Plaintiffs,

v.

RULE 34 REQUESTS

JOHN N. MITCHELL, et al.,

Defendants.

FBI Information
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED 3/5/82
DATE 2/25/93 BY 9803 RDD/SC

Pursuant to the provisions of Rule 34 of the Federal Rules of Civil Procedure, plaintiffs request that the defendants produce and permit plaintiffs or someone acting on their behalf to inspect and copy the following:

1. The documents listed in the Third Set of Interrogatories 1 and 2, dated this date.

2. a) Memorandum dated December 4, 1970 from Assistant Attorney General Mardian to Attorney General Mitchell, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

b) Memorandum dated January 27, 1971 from Assistant Attorney General Mardian to Attorney General Mitcehl, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

62-113887-11
✓ c) Memorandum dated January 27, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General, Internal Security Division, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

62-113887-11
✓ d) Memorandum dated February 3, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General,

e) Memorandum dated February 10, 1971 from Assistant Attorney General Mardian to George C. Moore, Benson Buffham, Thomas J. Kelley, Colonel John W. Downey, and Richard Ober, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

f) Memorandum dated April 26, 1971 from Assistant Attorney General Mardian to Attorney General Mitchell, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

g) All other memoranda to or from Assistant Attorney General Mardian the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

3. Memorandum from Assistant Attorney General Will Wilson to the Director, Federal Bureau of Investigation, dated April 16, 1969, and captioned, in part, "Electronic Surveillance etc., et al."

4. a) A memorandum dated March 10, 1971 from Assistant Attorney General Mardian to Attorney General Mitchell, the subject of which, or one of the subjects of which, was a proposal that requests for written authorization to conduct electronic surveillance in national security cases be routed through the Internal Security Division, Department of Justice.

b) Memorandum dated March 22, 1971 from Attorney General Mitchell to Assistant Attorney General Mardian in reply to memorandum described in 4(a), supra.

✓ c) Memorandum dated May 17, 1971 from the Director, Federal Bureau of Investigation, to Attorney General Mitchell, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveill-

the Department of Justice, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases.

e) Memorandum dated June 9, 1971 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases.

f) Any and all attachments to the memoranda described in 4 (a) through (e), supra.

5. Study by Daniel McAuliffe and/or William Olson reviewing authorizations and re-authorizations for electronic surveillance projects.

6. Memorandum referred to by Robert L. Mardian in deposition of April 27 and 28, 1975 in Phoenix, Arizona, prepared by John David or any other person prior to May 6, 1969 and directed to either Attorney General Mitchell or the Director, Federal Bureau of Investigation, or both, containing recommendations concerning electronic surveillance, and speaking to the effect of the Omnibus Crime Control Act of 1968 thereon.

7. Manual referred to on page 2 of May 6, 1969 memorandum from Attorney General Mitchell to the Director, Federal Bureau of Investigation.

8. Form letter sent to various government agencies by the Department of Justice, either the Criminal Division or the Internal Security Division or any other division, requesting information concerning electronic surveillance of various

criminal defendants after requests for disclosure of electronic

9. Letters sent to various government agencies by the Internal Security Division or the Criminal Division, or both, requesting information concerning electronic surveillance in United States v. Dellinger, Cr. No. 69-180 (N.D. Ill.).

✓ 10. Manual or other material or memoranda describing the system employed by the F.B.I. for the indexing and retrieval of electronic surveillance data. *any basis for objecting*

11. Any and all background memoranda, minutes of meetings, records of discussions, and other material concerning the development of the electronic surveillance policy propounded in a memorandum dated May 6, 1969 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, including copies of all preliminary drafts of the foregoing memorandum.

12. a) Any and all forms used by the F.B.I. to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants. *are no forms*

b) Any and all forms used by federal offices and agencies other than the F.B.I. to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants.

c) Any and all responses from government offices and agencies to requests for disclosure of information concerning electronic surveillance in United States v. Dellinger, Cr. No. 69-180 (N.D. Ill.), decided February 20, 1970.

7 13. With respect to each of the requests for authorization and/or reauthorization of warrantless electronic surveillance (emanating from the Director of the F.B.I. to the Attorney

basis for the request of the Director of the F.B.I. to the Attorney General for such authorization or reauthorization.

✓ 14. A training and/or operations manual entitled Handbook for Special Agents, pertaining, among other things, to the preparation of F.B.I. reports referred to by John A. Mintz in testimony of May 8, 1975.

Attorneys for Plaintiffs

By:

Morton Stavis
MORTON STAVIS

One of Counsel to
Plaintiffs

Dated: Newark, N. J.
July 30, 1975.

744 Broad Street
Newark, N. J. 07102
(201) 622-3789

Affidavit of Service

STATE OF NEW JERSEY)
COUNTY OF ESSEX) ss.

Margaret B. Thompson, of full age, being duly sworn according to law, upon her oath deposes and says: On July 31, 1975, I served the original of the foregoing Rule 34 Requests on Edward S. Christenbury, Esq., Civil Litigation Unit, Criminal Division, United States Department of Justice, Washington, D.C. 20530, by certified mail, return receipt requested.

Margaret B. Thompson

Sworn to and subscribed
before me this 31st day
of July, 1975.

Karen E. Stewart

KAREN E. STEWART
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 11, 1976

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

Civil Action

No. 1768-69

v.

JOHN N. MITCHELL, et al.,

Defendants.

THIRD SET OF INTERROGATORIES
ADDRESSED TO DEFENDANTS

The plaintiffs request that the defendants answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the within Interrogatories, in the space provided; if such space is inadequate, please answer the Interrogatories on additional pages.

PLEASE TAKE NOTICE that a copy of such answers must be served upon the undersigned within the time prescribed by law.

1. Has the federal government agreed to indemnify or otherwise compensate defendant Mitchell, or the representatives of defendant Hoover, or both, if plaintiffs prevail on their damage claim? If such indemnity or compensation arrangements have been made, describe their terms and extent and the source of authority therefor. If there is a document setting forth such arrangement, please furnish a copy or submit such document for copying pursuant to Rule 34 F.R.C.P.

2. Did Attorney General Clark respond prior to January 20, 1969 to a memorandum dated July 2, 1968 from the Director, Federal Bureau of Investigation, to the Attorney General, the subject of which was the effect of the Omnibus Crime Control Act of 1968 upon electronic surveillance programs? If so, was such response oral, written, or both? If oral, please state the date or dates of such communication or communications, and the contents thereof. If written, please furnish a copy or submit such document to plaintiffs for copying pursuant to Rule 34, Fed. Rules of Civil Proc.

3. List all material submitted as in camera exhibits to courts in United States v. Dellinger, CR No. 69-180 (N. D. Ill.; decided February 20, 1970), reversed 472 F. 2d 340 (7th Cir. 1972).

4. State the division or office of the Department of Justice in which a memorandum dated May 6, 1969 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, marked Deponent 3, in Deposition of Robert Mardian, 4/28/75, originated. State also the names and titles of any and all individuals who participated in the preparation or drafting of the said memorandum; state whether such a document was the

5. Set forth as to each case in which the Department of Justice submitted for a court's in camera inspection, electronic surveillance relating to any of the plaintiffs herein:

- (a) the name of such case, and the court where the same was pending;
- (b) the date of submission;
- (c) a list of all items included in such submission.

ATTORNEYS FOR PLAINTIFFS

By: Morton Stavis
MORTON STAVIS
One of Counsel to Plaintiffs

Dated: Newark, N.J.
July 30, 1975.

Affidavit of Service

STATE OF NEW JERSEY) ss.:
COUNTY OF ESSEX)

Margaret B. Thompson, of full age, being duly sworn according to law, upon her oath deposes and says: On July 31, 1975, I served the original and one copy of the foregoing Third Set of Interrogatories Addressed to Defendants on Edward S. Christenbury, Esq., Civil Litigation Unit, Criminal Division, United States Department of Justice, Washington, D.C. 20530, by certified mail, return receipt requested.

Sworn to and subscribed
before me this 31st day
of July, 1975.

Karen E. Stewart

Margaret B. Thompson

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

Civil Action

No. 1768-69

v.

JOHN N. MITCHELL, et al.,

Defendants.

THIRD SET OF INTERROGATORIES
ADDRESSED TO DEFENDANTS

The plaintiffs request that the defendants answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the within Interrogatories, in the space provided; if such space is inadequate, please answer the Interrogatories on additional pages.

PLEASE TAKE NOTICE that a copy of such answers must be served upon the undersigned within the time prescribed by law.

1. Has the federal government agreed to indemnify or otherwise compensate defendant Mitchell, or the representatives of defendant Hoover, or both, if plaintiffs prevail on their damage claim? If such indemnity or compensation arrangements have been made, describe their terms and extent and the source of authority therefor. If there is a document setting forth such arrangement, please furnish a copy or submit such document for copying pursuant to Rule 34 F.R.C.P.

2. Did Attorney General Clark respond prior to January 20, 1969 to a memorandum dated July 2, 1968 from the Director, Federal Bureau of Investigation, to the Attorney General, the subject of which was the effect of the Omnibus Crime Control Act of 1968 upon electronic surveillance programs? If so, was such response oral, written, or both? If oral, please state the date or dates of such communication or communications, and the contents thereof. If written, please furnish a copy or submit such document to plaintiffs for copying pursuant to Rule 34, Fed. Rules of Civil Proc.

3. List all material submitted as in camera exhibits to courts in United States v. Dellinger, CR No. 69-180 (N. D. Ill., decided February 20, 1970), reversed 472 F. 2d 340 (7th Cir. 1972).

4. State the division or office of the Department of Justice in which a memorandum dated May 6, 1969 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, marked Deponent 3, in Deposition of Robert Mardian, 4/28/75, originated. State also the names and titles of any and all individuals who participated in the preparation or ~~drafting of the said memorandum~~, state whether such a document was the subject of any conference or meeting and, if so, state the date and place

5. Set forth as to each case in which the Department of Justice submitted for a court's in camera inspection, electronic surveillance relating to any of the plaintiffs herein:

- (a) the name of such case, and the court where the same was pending;
- (b) the date of submission;
- (c) a list of all items included in such submission.

ATTORNEYS FOR PLAINTIFFS

By: Morton Stavis
MORTON STAVIS
One of Counsel to Plaintiffs

Dated: Newark, N.J.
July 30, 1975.

Affidavit of Service

STATE OF NEW JERSEY) ss.:
COUNTY OF ESSEX)

Margaret B. Thompson, of full age, being duly sworn according to law, upon her oath deposes and says: On July 31, 1975, I served the original and one copy of the foregoing Third Set of Interrogatories Addressed to Defendants on Edward S. Christenbury, Esq., Civil Litigation Unit, Criminal Division, United States Department of Justice, Washington, D.C. 20530, by certified mail, return receipt requested.

Sworn to and subscribed
before me this 31st day
of July, 1975.

Margaret B. Thompson

Karen E. Stewart

PLAINTEXT

TELETYPE

NITEL

APRIL 1, 1976

TO SAC SAN FRANCISCO (66-672 B)

FROM DIRECTOR, FBI (62-112989)

DAVID DELLINGER, ET AL. V. JOHN N. MITCHELL, ET AL.

(U.S.D.C., D.C.) CIVIL ACTION FILE NO. 1768-69

1 - Mr. Leavitt

1 - [REDACTED]

1 - Mr. Mintz

2 - [REDACTED]

REBUAIRTEL DATED APRIL 16, 1975. *Mr 314*

b6
b7C

ON MARCH 31, 1976, SA [REDACTED] OF YOUR OFFICE

ADVISED THAT [REDACTED] AND [REDACTED] HAVE

REQUESTED ACCESS TO MATERIAL BEING PROVIDED TO PLAINTIFFS

IN THE COURSE OF DISCOVERY IN THIS CIVIL ACTION AND THAT

RECORDS OF YOUR OFFICE REVEAL THAT ONLY [REDACTED] IS TO BE

GIVEN ACCESS TO THE MATERIAL.

ON MARCH 31, 1976, DEPARTMENTAL ATTORNEY, JONATHAN

B. SMITH, ADVISED THAT [REDACTED] HAS EXECUTED AN AFFIDAVIT

IN ACCORDANCE WITH THE OCTOBER 24, 1974, COURT ORDER IN

THIS MATTER AND THAT SHE IS ALSO TO BE ALLOWED ACCESS TO

THE MATERIAL IN QUESTION.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY 9951/24 315820
29-9-3

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

GML:bjr.

(7) *lv*

smf

pad

EX 103

(SEE NOTE PAGE 2)

5 APR 5 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 2 1976

325 *lv*
TELETYPE

57 APR 15 1976

TELETYPE UNIT ☒

NITEL TO SAN FRANCISCO
RE: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.) CIVIL ACTION
FILE NUMBER 1768-69

NOTE:

In instant matter, a civil suit based on allegedly illegal electronic surveillance, plaintiffs have sought FBI records regarding pertinent coverage. In view of volume of such records it was recommended and approved that Department be furnished a schedule showing location and estimate of volume of material along with suggestion that such records be made available for inspection by plaintiffs' counsel at the individual field offices during regular working hours and upon reasonable notice to SAC. Department in turn so answered that part of the interrogatory and that procedure was in effect agreed to by plaintiffs. On 10/24/74, the Court entered an order in this civil action to modify its earlier protective order dated 2/26/74 to allow plaintiffs "to use commercial facilities and/or student or clerical personnel or other assistants to make copies and/or monitor the copying process and use student and clerical personnel to read and analyze all material being provided in the course of discovery, and to make reports thereon to [plaintiffs'] counsel of record. . . ." The order also specifies that "any such person obtaining access to the information. . . shall be informed of the Court's order [dated 2/26/74] and shall sign an affidavit . . . and indicate assurance of compliance to the order. . . ."

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: DAVID T. DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION FILE NO. 1768-69

DATE: 5/21/76

PURPOSE

To advise that in connection with captioned civil suit Departmental Attorney requires access to files of individual plaintiffs to prepare for depositions scheduled to begin in late June, 1976.

SYNOPSIS

Captioned civil suit was filed by plaintiffs seeking monetary damages based on alleged illegal electronic surveillance coverage of them in the past, as well as declaratory and injunctive relief against future coverage. On 5/21/76, Departmental Attorney John Smith, Criminal Division, advised that he intends to notice depositions for individual plaintiffs beginning late June, 1976, and that to prepare for these he will need all information relating to plaintiffs' activities for the past ten years. Mr. Smith indicated that he believed direct access to the files to be the only feasible way to obtain the information he requires and Legal Counsel Division concurs.

CURRENT BUREAU POLICY

Departmental Attorneys have been given direct access to FBI files in another civil action concerning [redacted] where such access was also necessary in order to properly protect the interests of this Bureau.

REC-87

62-112989-347

(CONTINUED - OVER)

- 2 - Mr. Leavitt
(1 - [redacted])
1 - Mr. Mintz
1 - Legal Research Unit
PGD:kia
(5)

28 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY 6151/100 3/5822



Legal Counsel Memorandum
to Mr. J. B. Adams
Re: David T. Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

RECOMMENDATION

That Departmental Attorney John Smith be afforded direct access to the files of the individual plaintiffs in captioned civil action for the purposes of assembling information required to prepare him to conduct depositions of plaintiffs. Such access will be afforded within FBI space by the Intelligence Division.

APPROVED: *OK* *per* *John*
Assoc. Dir. *mal* Ext. Affairs..... Laboratory.....
Dep. AD Adm. Fin. & Pers. Legal Coun. *mpa*
Dep. AD Inv. Gen. Inv. Plan. & Eval.
Asst. Dir.: Ident. Rec. Mgmt.
Adm. Serv. Inspection *Two/ST* Spec. Inv.
Intell. Training

DETAILS

Captioned civil action was filed seeking damages for allegedly illegal electronic surveillance coverage of plaintiffs in the past and declaratory and injunctive relief barring such coverage in the future. The plaintiffs are the "Chicago 8" and four organizations including the Black Panther Party. Extensive discovery has taken place in this case, and in connection therewith the Department desires to begin depositions of plaintiffs. This will necessitate that the Departmental Attorney in charge of this matter, Mr. John Smith, Criminal Division, familiarize himself with the activities of individual plaintiffs and their public statements as a basis for conducting such depositions.

↓ ↓
(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J. B. Adams
Re: David T. Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

On 5/21/76, Mr. Smith stated that he would like to notice depositions for four of the individual plaintiffs for late June, 1976. These plaintiffs are [redacted] Abbie Hoffman and Jerry Rubin. Mr. Smith advised that he was interested in reviewing both public source material and reports and letterhead memoranda which summarize the activities of these plaintiffs for the past ten years. He indicated that upon such review he could then flag the particular items that he was interested in having copies of. He further indicated that he understood that when he had picked out various items of information as the basis for questioning that it might be necessary with regard to some of the items to converse with case Agents in various offices in order to insure that a particular line of inquiry would not tend to identify informants.

In view of the volume of material involved and the time frame as well as the fact that Mr. Smith will be out of town during the period June 6-19, 1976, it is believed that the only feasible method for such review is by the direct access that Mr. Smith requests. This would also preclude needless duplication of materials which may be of no use for his particular purposes. Mr. Smith indicated that he realized that he would be examining the materials within FBI space and stated that he would like to begin as soon as possible.

*Final results
furnished to Jonathan Smith,
Crim. Div., on 6/4/76.*

RJD

UNITED STATES GOVERNMENT

Memorandum

TO : Director
Federal Bureau of Investigation
Attention: Legal Counsel Division
FROM : Richard L. Thornburgh
Assistant Attorney General
Criminal Division
SUBJECT: David Dellinger, et al. v. John N. Mitchell,
et al., (D.D.C.) Civil Action No. 1768-69

DATE: 16 JUL 1976

The above-entitled action was filed on behalf of nine organizations and eight individuals, alleging that each plaintiff was subjected to actionable electronic surveillance by the Bureau. We have recently been provided with answers to certain interrogatories served by us, from the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League, and, on the basis of those answers, and affidavits from Bureau personnel, we plan to move for summary judgment as to those three plaintiff associations.

By memorandum of February 8, 1973, captioned as above, the Department was informed that plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League have not been subjected to electronic surveillance by the Bureau. The following are lists of the addresses and telephone numbers of those organizations from 1965 to the present:

Southern Conference Educational Fund:

1. 822 Perdido Street EX- 108
Suite 408
New Orleans, Louisiana
(1965 to March, 1966)
2. 3210 West Broadway
Louisville, Kentucky 40211
3. 3208 West Broadway
Louisville, Kentucky 40211
(1969 to 1974)

Catholic Peace Fellowship:

1. 5 Beekman Street 212/WO4-8367
New York, New York
(1964 to 1968)
2. 339 Lafayette Street 212/673-8990
New York, New York
(1968 to present)

EXP. PROC.
40 JUL 19 1976
30

REC-33

62-1129A9-348

9-21
JUL 19 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/21/80 BY SP-277P/lee
8993 1048 DCM/SC



56 SEP 27 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

b6
b7C

War Resisters League:

- | | | |
|----|------------------------|--------------|
| 1. | 5 Beekman Street | 212/CO7-4592 |
| | New York, New York | 212/CO7-4593 |
| | (1944 to May 1969) | 212/CO7-4594 |
| 2. | 339 Lafayette Street | 212/228-0450 |
| | New York, New York | 212/228-0451 |
| | (June 1969 to present) | 212/228-0452 |

Based upon these lists, we request that a further elsur check of the three plaintiff organizations be conducted by the Bureau. In the event that such elsur checks are negative, we request the preparation of affidavits reflecting that fact in order that they might be filed in support of our motion for summary judgment.

The affidavits should indicate that searches have been undertaken of elsur files at Bureau Headquarters and at any field office located in the cities in which each plaintiff organization maintained or maintains an office. The addresses and phone numbers listed should also be contained in the affidavits.

The affidavits will be filed pursuant to Rule 44(b), Federal Rules of Civil Procedure. The Rule requires the affidavit to be executed by the custodian of the records searched, a statement that a "diligent search" has been undertaken, and a separate certificate, as provided by Rule 44(a)(1), that the affiant is in fact the custodian of the records in question.

Receipt of the affidavits is requested at your earliest convenience.

Airtel

To: SACS, Louisville
New Orleans
New York

7/29/76

1 - Mr. Walsh

(Attn [redacted])

1 - [redacted]

1 - Mr. Mintz

2 - [redacted]

108
From: Director, FBI

REC-33

DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U. S. D. C., D. C.)
CIVIL ACTION FILE NO. 1768-68

Enclosed is one copy of Departmental memorandum regarding captioned civil action dated 7/16/76. Disregard paragraph 3, page 2 concerning Rule 44(b), Federal Rules of Civil Procedure. On 7/28/76, John Smith, Departmental Attorney, telephonically advised that he inadvertently failed to include on the Departmental memorandum additional pertinent information regarding plaintiff Catholic Peace Fellowship:

524 Upper Broadway
Nyack, New York
(1964 - present)

212/LO8-8200
914/EL8-4601

Louisville and New Orleans are requested to have a Special Agent conduct an ELSUR check concerning plaintiff Southern Conference Educational Fund. New York is requested to have a Special Agent conduct ELSUR checks concerning plaintiffs Catholic Peace Fellowship and War Resisters League. In the event these checks are negative, the Agents conducting the searches should prepare a notarized affidavit reflecting that fact. The addresses and telephone numbers listed in the Departmental memorandum as well as those furnished by Mr. Smith on 7/28/76, should be set forth in the affidavits.

Enc.

NOTE: Based on Legal Counsel memorandum to Mr. J.B. Adams dated 7/27/76.

GML:kiw
(12)

26 SEP 27 1976
MAIL ROOM ☒

TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Airtel to SAC, Louisville
Re: David Dellinger, et al. v.
John N. Mitchell, et al.
Civil Action File No. 85-69

Furnish the affidavits, or in the alternative, positive
information to the Bureau, Attention: Legal Counsel Division, no later
than 8/5/76. Questions concerning this matter may be directed to
Special Agent [redacted] Extension 4532, FBI Headquarters

APPROVED:	Ext. Affairs.....	Laboratory.....
Assoc. Dir.....	Fin. & Pers.....	Legal Coun.....
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv.....	Ident.....	Rec. Mgmt.....
Asst. Dir.:	Inspection.....	Spec. Inv.....
Adm. Serv.....	Intell.....	Training.....

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7/27/76

FROM : Legal Counsel *gm*

SUBJECT: DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)

CIVIL ACTION FILE NO. 1768-69

2/9/93 1048 Dkm/SC
315820
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY *ap's/gp*

PURPOSE

To advise that the Department has requested that ELSUR checks be conducted concerning three organizational plaintiffs in this lawsuit.

SYNOPSIS

By memorandum dated 2/8/73, the Director informed the Department that plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League have not been electronically surveilled by this Bureau. These plaintiffs recently produced a list of their addresses and telephone numbers from 1965 to present. By attached memorandum dated 7/16/76, the Assistant Attorney General, Criminal Division, requested that further ELSUR checks be conducted regarding the above plaintiffs at FBI Headquarters and at any field office located in cities in which each plaintiff organization maintained or maintains an office. In the event such checks are negative, the Assistant Attorney General, requests the preparation of affidavits reflecting that fact. The FBI's Personnel Officer, however, will be required to submit an affidavit specifying that the individuals who conducted the ELSUR checks and submitted the affidavits are Special Agents of the FBI.

Enc:

1 - Mr. Walsh

(Attn:)

1 -

1 - Mr. Mintz

2 -

GML:kiw

(6)

gm f

P

REC-33

62-112989-349

(CONTINUED - OVER)

23 SEP 21 1976

b6
b7C

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Tech. Serv. _____
Training _____
Off. of Cong. & Public Affairs _____



Legal Counsel Memorandum
to Mr. J. B. Adams

Re: David Dellinger, et al. v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

RECOMMENDATIONS

1. That INTD conduct ELSUR checks in accordance with the request by the Department and in the event such checks are negative, submit a notarized affidavit reflecting same.

2. That in the event ELSUR check affidavits are submitted, the FBI's Personnel Officer submit an affidavit specifying that affiants are Special Agents of this Bureau.

3. That upon receipt of above, Legal Counsel Division correspond with the Department.

APPROVED: _____	Ext. Affairs.....	Laboratory.....
Assoc. Dir.....	Fin. & Pers.....	Legal Coun.....
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv.....	Ident.....	Rec. Mgnt.....
Asst. Dir.....	Inspection.....	Spec. Inv.....
Adm. Serv.....	Intell.....	Training.....

↓ ↓
(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J. B. Adams
R. e: David Dellinger, et al. v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

DETAILS

Captioned civil action was filed on behalf of nine organizations and eight individuals alleging illegal electronic surveillance. By memorandum dated 2/8/73, the Director informed the Department that plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League have not been electronically surveilled by this Bureau.

These organizational plaintiffs recently produced in discovery the following list of their addresses and telephone numbers from 1965 to present:

Southern Conference Educational Fund:

1. 822 Perdido Street
Suite 408
New Orleans, Louisiana
(1965 to March, 1966)
2. 3210 West Broadway 502/778-3348
Louisville, Kentucky 40211 502/778-3349
3. 3208 West Broadway
Louisville, Kentucky 40211
(1969 to 1974)

↘ ↘
(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J.B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

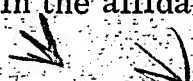
Catholic Peace Fellowship:

- | | |
|--|--------------|
| 1. 5 Beekman Street
New York, New York
(1964 to 1968) | 212/WO4-8367 |
| 2. 339 Lafayette Street
New York, New York
(1968 to present) | 212/673-8990 |

War Resisters League:

- | | |
|---|--|
| 1. 5 Beekman Street
New York, New York
(1944 to May, 1969) | 212/CO7-4592
212/CO7-4593
212/CO7-4594 |
| 2. 339 Lafayette Street
New York, New York
(June, 1969, to present) | 212/228-0450
212/228-0451
212/228-0452 |


By attached memorandum dated 7/16/76, the Assistant Attorney General, Criminal Division, requested that further ELSUR checks be conducted by this Bureau. In the event such checks are negative, the Assistant Attorney General, Criminal Division, requests the preparation of affidavits reflecting that fact. The affidavits should specify that searches have been made of ELSUR files at FBI Headquarters and at any field offices located in the cities in which each plaintiff organization maintained or presently maintains an office. The addresses and telephone numbers listed above should also be contained in the affidavits.


(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

On 7/20/76, Jonathan B. Smith, Departmental Attorney handling this matter, advised we should ignore the information concerning Rule 44(b) in the second to last paragraph, page 2 of the Assistant Attorney General's memorandum dated 7/16/76. The FBI's Personnel Officer, however, will be required to submit an affidavit specifying that that individuals who submitted the ELSUR check affidavits are Special Agents of the FBI.

By airtel dated 7/29/76, Louisville, New Orleans and New York were requested to conduct ELSUR checks and to submit affidavits, if appropriate.



F.B.I.

Date: 8/4/76

Transmit the following in _____

(Type in plaintext or code)

Via

AIRTEL

AIRMAIL

(Priority)

TO:

DIRECTOR, FBI

ATTENTION: [REDACTED]

LEGAL COUNSEL DIVISION

FROM:

SAC, NEW ORLEANS (66-2864) (RUC)

DAVID DELLINGER, et al., v.

JOHN N. MITCHELL, et al.

(U.S.D.C., D.C.)

CIVIL ACTION FILE NO. 1768-69

Re Bureau airtel to Louisville, 7/29/76.

Enclosed for the Bureau is the original and three copies of an affidavit of Supervisor CLIFFORD H. ANDERSON, which responds to referenced Bureau airtel.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5/4/76

2-9-93

1048 Dkm WPC

315820

6-ENCLOSURE

EX-108

REC-33

62-112989-350

9-20
AUG 8 1976

② - Bureau (Encs. 4)

2 - New Orleans (1 - 66-2864)

(1 - 66-2855)

CHA:pd

(4)

1cc 7326

only one copy

cc 7326

9-20
AUG 8 1976

-7326

Approved: 751

SEP 23 1976

Special Agent in Charge

Sent

M

Per

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 JG/vp

2-9-93 1048 Dkm/SC
315820

F372

ENCLOSURE

62-12489-350

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.)
Plaintiffs,)
v.)
JOHN N. MITCHELL, et al.,)
Defendants.)

Civil Action No. 1768-69

Parish of Orleans)
State of Louisiana) ss

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JG/PP
2-9-93 1048 DK mls 315820

AFFIDAVIT

I, Clifford H. Anderson, after having been duly sworn,
do hereby depose and state the following:

I am a Special Agent of the Federal Bureau of Investigation (FBI) and am currently assigned to the New Orleans, Louisiana, Field Office of the FBI.

On August 2, 1976, I made a careful and diligent search of the electronic surveillance indices maintained at the New Orleans, Louisiana, Field Office of the FBI, which include the following:

- (1) Index cards indicating the name of subjects of electronic surveillances and the date or dates such surveillances were maintained;
- (2) Index cards indicating the names of persons who while not subjects of a surveillance, were incidentally overheard on surveillance of another and the date or dates of such overhears.

Based upon my search, I determined that these indices contained no record of electronic surveillance of the following organization at the address listed:

Office of the FBI. If the Southern Conference Educational Fund had been the subject of an electronic surveillance conducted by this Agency in New Orleans, Louisiana, at the address listed, or at any other address within the jurisdiction of the New Orleans, Louisiana, Field Office, the name of that organization would have been contained in the indices.

Clifford H. Anderson
Clifford H. Anderson
Supervisory Special Agent
Federal Bureau of Investigation
New Orleans, Louisiana

Subscribed and Sworn to before me this 4th day of August, 1976.

Michelle J. Pitaro
NOTARY PUBLIC

My commission expires *at death*

duplicate original

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)

Plaintiffs,)

v.)

JOHN N. MITCHELL, et al.,)

Defendants.)

Civil Action No. 1768-69

City of Washington)

District of Columbia)

ss

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JLB
2-9-93 1048 DK mls
315820

AFFIDAVIT

S. Ray Burns, being duly sworn deposes and says:

1) I am a Special Agent of the Federal Bureau of Investigation (FBI) and presently assigned as Personnel Officer at FBI Headquarters, Washington, D. C.

2) I hereby attest that Clifford H. Anderson is a Special Agent of the FBI currently assigned to the New Orleans, Louisiana Field Office of the FBI.

3) I hereby attest that Edmund V. Armento is a Special Agent of the FBI currently assigned to the Louisville, Kentucky Field Office of the FBI.

4) I hereby attest that Neil F. Divers is a Special Agent of the FBI currently assigned to the New York, New York Field Office of the FBI.

S. RAY BURNS
Special Agent
Federal Bureau of Investigation
Washington, D. C.

Subscribed and sworn to before me this _____ day of _____, 1976.

NOTARY PUBLIC

My Commission expires _____